

The scheme of separation between St. Louis city and county and ...

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THE
SCHEME
OF SEPARATION BETWEEN
ST. LOUIS CITY AND COUNTY
AND THE
CHARTER
OF THE
CITY OF ST. LOUIS,

WITH ALL AMENDMENTS AND MODIFICATIONS TO MAY 1, 1902, AND
CONSTITUTIONAL PROVISIONS SPECIALLY APPLICABLE
TO THE CITY OF ST. LOUIS.

COMPILED BY CHAS. W. BATES, CITY COUNSELOR, PURSUANT TO ORDINANCE 20,551, AND PUBLISHED BY AUTHORITY OF
THE CITY OF ST. LOUIS.

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TO THE
AUTHOR

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SCHEME
FOR THE
SEPARATION AND RE-ORGANIZATION
OF THE GOVERNMENTS OF THE
CITY AND COUNTY OF ST. LOUIS
AND THE ADJUSTMENT OF THEIR RELATIONS.

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The following Scheme for the separation of the governments of St. Louis City and County, the definition of the boundaries of said city as enlarged, the reorganization of the government of said county, and the adjustment of the relations between said city and county so that they shall hereafter be independent of each other, is hereby adopted as the organic law thereof.

SECTION I. The boundaries of the City of St. Louis are hereby enlarged, settled and established as follows:

The corporate limits of the City of St. Louis shall comprise all that district of country situated in the County of St. Louis and State of Missouri, to-wit: Beginning at a point in the middle of the main channel of the Mississippi river, and running thence westwardly at right angle to said channel, to a point on the west bank of said river 200 feet south of the center of the mouth of the River des Peres; thence westwardly and parallel to the center of the River des Peres, and 200 feet

south thereof, to the eastern line of the Lemay Ferry road; thence westwardly to a point in the west line of said Lemay Ferry road at its intersection with the center of the Weber road; thence westwardly along the center of the Weber road to its intersection of the east line of lot (1) of the Carondelet Commons, south of the River des Peres; thence westwardly to the southeast corner of Rudolph Overman's, or northeast corner of B. H. Haar's land; thence westwardly to said Haar's northwest corner; thence northwestwardly to a point in the center of the Gravois road (600) six hundred feet southwardly from the center of the bridge across the River des Peres; thence northwestwardly to the southeast corner of lot (31) thirty-one of the subdivision of the Mackenzie tract in United States Survey 1,953; thence northwestwardly in continuance of said last mentioned line to the southern line of lot twenty-one (21) of the subdivision of the said Mackenzie tract; thence northwestwardly to a point in the southern line of United States Survey 2,035 twenty-six (26) chains eastward from the southwest corner of said survey; thence northwardly to a point in the north line of the subdivision of East Laclede, (600) feet west of the McCausland road; thence northwardly and parallel to the center of the McCausland road, to a point on the Clayton road (600) six hundred feet west of its intersection with the McCausland road; thence northwardly and parallel with the Skinker road, and (600) six hundred feet west thereof, to its intersection with the old Bonhomme road; thence northeastwardly to the intersection of the center lines of McLaren avenue and Mead street; thence in a northeastwardly direction to a point in the Bellefontaine road (600) six hundred feet north of its intersection with the Columbia Bottom road; thence northwardly and parallel with center line of the Columbia Bottom road to the northern boundary line of United States Survey number (114) one hundred and fourteen; thence eastwardly along said line to the center of the main channel of the Mississippi river; thence with the meanderings of said channel southwardly to the point of beginning; and the residue of what now constitutes the County of St. Louis shall hereafter be called St. Louis County.

SEC. 2. The City of St. Louis, as described in the preceding section, and the residue of St. Louis County, as said county

is now constituted by law, are hereby declared to be distinct and separate municipalities, and all authority heretofore exercised by the County Court of St. Louis County, or any officer of said county, is hereby forever abrogated and annulled, except for the purposes and in the cases as hereinafter provided.

SEC. 3. At the general election for State and other officers, on the Tuesday next following the first Monday in November, 1876, and every two years thereafter, there shall be elected officers for St. Louis County, as follows: A Sheriff, who shall be *ex-officio* Collector, Coroner, Assessor, Treasurer,—a Clerk of the County Court, who shall be *ex-officio* Recorder of Deeds—they shall hold their offices for the term of two years, and shall perform such duties as are now provided by law for such officers, until their successors are duly elected and qualified; also, a Public Administrator, who shall be elected at said election, and every four years thereafter, and shall hold his office for four years, and perform the duties now prescribed by law. There shall also be elected at said election three Justices of the County Court, who shall constitute the County Court of said county, and their powers, duties and terms of office shall be as *defined* and governed by the general law at present applying to other counties in this State. And for that purpose the County of St. Louis as established by this Scheme, shall be divided into two districts by a line commencing at a point where the Clayton road intersects the boundary between the City and County of St. Louis, as established by this Scheme and Charter, and running thence westwardly with the Clayton road to the eastern boundary of Bonhomme township as now established; thence north with the eastern boundary of said township to the Missouri river. So much of said county as lies north and east of said line shall constitute district number one, and so much of said county as lies south and west of said line shall constitute number two. One Justice of the County Court shall be elected by the qualified voters of each of said districts, and the Presiding Justice of said County Court shall be elected at large by the qualified voters of said county. Said county shall be divided and numbered in the same manner into two Representative Districts, and until otherwise districted by law, one Representative in the General Assembly of the State shall be elected by the qualified voters of each of said dis-

tracts. Immediately succeeding the election in November 1876, and when the result thereof is officially determined as herein-after provided, the Justices of the County Court shall meet at James C. Sutton's house, on the Manchester road, for the purpose of organizing the new government of the county, determining the bonds of the county officers, and making such appointments as may be authorized by law. Said Court may determine at what place in said county said Court shall meet and the county offices be located until the question of a permanent seat of justice may be determined. And for that purpose the following persons shall be and they are hereby appointed Commissioners, to-wit: Robert G. Coleman, Wm. W. Henderson and Thomas J. Sappington, who shall, after the Scheme goes into effect, select a suitable place for the county seat of said county and report such selection to the County Court of said county, when it shall be the duty of said Court to submit to the qualified voters of said county, at a special election, to be ordered by said Court, within six months from the filing of said report, the question as to whether the place so selected, shall be the place for the permanent seat of justice of said county, and if a majority of the qualified voters of said county voting at said election, shall be in favor of said location, then the same shall be and remain the seat of justice or county seat of such county; but if a majority of the qualified voters, voting at such election shall be against such location, then the permanent seat of justice shall be established in the manner as at present provided by law in regard to new counties. There shall be elected at said election such Justices of the Peace and Constables for the county as said county may be entitled to under existing laws, who shall hold their offices according to the general provisions of law applying to other counties in this State.

SEC. 4. The present County Court of St. Louis County shall order and make all necessary arrangements for the general State election in November next, and shall order at the same time the election of the Justices and officers for St. Louis County, as specified in the preceding section, and the members of the present County Court thereof shall continue in authority and in the discharge of their present duties, except as herein otherwise provided, until the new County Government is or-

ganized, and the proper county officers, as provided herein, are commissioned and qualified, and thereupon their terms of office and that of Clerk of said Court shall cease and the offices of Justices of the County Court and Clerk of the said County Court as now established shall be forever abolished: *Provided*, That nothing in this section shall relieve said Court and its officers and employes from full responsibility for the management and custody of all interests and property of the County of St. Louis as constituted previous to the adoption of this Scheme, until a formal transfer of the same to the proper authority as herein provided has been effected.

SEC. 5. It shall be the duty of the Mayor of the City of St. Louis to order an election on the same day as the general election in November, 1876, and every two years thereafter, for a Sheriff for the City of St. Louis, and Coroner for said city, who shall be elected by the qualified voters of said city, and shall hold their offices for two years and until their successors are duly elected and qualified, and they shall be commissioned by the Mayor. A Public Administrator for said city shall also be elected at the general election aforesaid, and every four years thereafter, whose term of office shall be four years, and whose duties shall be as provided by law. The official bond of said officers shall be fixed and determined by the Municipal Assembly, in conformity with the constitution and laws, and pending such action the Sheriff, Coroner and Public Administrator shall give bond in such amounts as now required of like officers for the present County of St. Louis, with not less than two securities, owners of unincumbered real estate in the City of St. Louis, to be approved by the Mayor; and said bonds, when so approved, shall be filed with the Register, and said officers shall respectively perform within the city limits such duties as are now provided by law in regard to the Sheriff, Coroner and Public Administrator of St. Louis County, and shall receive the same compensation allowed said officers of St. Louis County prior to the adoption of this Scheme, until otherwise provided by law. The Coroner shall discharge the duties of Sheriff in all cases in which Coroners are authorized to discharge those duties by law.

SEC. 6. The Marshal of the City of St. Louis, in addition to his other duties, shall assume and discharge all the duties

heretofore discharged by the Marshal of St. Louis County within the limits of the City of St. Louis, and the present County Marshal shall deliver to said City Marshal all books, documents and property of every kind in his possession by virtue of said office, except such property as may properly belong to the reorganized County Government, which shall be delivered to the Sheriff of St. Louis County, elected in November, 1876.

SEC. 7. The Sheriff of St. Louis County, elected as provided in Section 3, shall be *ex-officio* Collector of the Revenue of said county and the Clerk of said County Court shall be *ex-officio* Recorder of Deeds for said county, and the present Recorder of Deeds for St. Louis County shall hereafter be known as Recorder of Deeds and shall hold his office for his term as now prescribed by law, and until his successor shall be elected and qualified, and at the general election in November, 1878, and every four years thereafter, a City Recorder shall be elected by the qualified voters of the City of St. Louis.

SEC. 8. The office of the President of the Board of Assessors is hereby declared a city office, and is placed under the control of the city government, but the President of said Board shall cause the books and plats of said office to be divided, and such portions thereof as exclusively refer to St. Louis County shall be delivered to the proper officer, for the use of said county; but if this can not be done, or can be done only in part, then abstracts shall be made thereof, and the cost of same paid out of the City Treasury. The present State and County Collector shall continue in office until the expiration of his official term, and thereafter his duties shall be discharged by the City Collector, and upon this Scheme going into operation, the said State and County Collector shall pay over all collections for city and county taxes levied for general purposes, and for licenses collected, within the city limits, as herein extended, and all county taxes for interest and parks, to the Treasurer of the City of St. Louis; and all collections for county and school taxes on property and licenses, except all county taxes for interest and parks, in St. Louis County, he shall pay to the present County Treasurer, until the Treasurer of said county is elected, as provided for in Section 3; and when that officer has duly qualified, the present County Treasurer shall pay over

to him all such collections for the use of said county, and from and after the time the County Treasurer of St. Louis County, as constituted by this Scheme, is elected and qualified, and during the continuance in office of said County Collector, he shall in like manner pay over all revenue collections, above mentioned, to the City and County Treasurers respectively. At the close of his term of office he shall effect a settlement with the city and county authorities, and shall account for all tax-bills placed in his possession, and shall turn over all uncollected bills in his possession, as follows: To the Comptroller all tax-bills on property within the city limits as herein established, and to the Clerk of the St. Louis County Court all tax-bills on property outside of city limits. The office of County Auditor as it at present exists is abolished, but that officer shall continue in office, and be responsible on his bond, until all books, documents, moneys, and other property in his hands, or under his charge by virtue of his office, have been properly accounted for and turned over to the parties authorized by law to receive them. The assessment of property for the taxes of the year 1877 in the city as constituted by this Scheme, shall be made by the President of the Board of Assessors, of the present County of St. Louis, in the manner provided by law; said President shall keep a separate set of books for the property in the city as now constituted, and for that in the enlarged limits of the city. As soon as the assessment books for the city and for the enlarged limits shall have been completed and corrected as required by law, they shall be turned over by said President with the other books and plats of his office to the proper officer of said city. After the assessment books have been corrected, the President of Assessors shall make out a fair copy of the same and shall make an abstract of said books, showing the amounts of the several kinds of property taxed, specifying: First, the amount of all property within the old limits of the City of St. Louis; second, the amount of value of all property within the new, or extended, limits, and outside the old limits, and add thereto his certificate that the same contains a true and correct list of all taxable property in the City of St. Louis, so far as he has been able to ascertain the same. Said abstract shall be verified by oath and delivered to the Mayor of St. Louis on or before the fourth Monday of

June, 1877. As soon as the Assessor of St. Louis County shall be elected and qualified, the President of the Board of Assessors shall deliver to the said Assessor the books, plats and all papers appertaining to the property of said county, as herein provided, and it shall be the duty of the Assessor of said county to assess the property of said county in the same manner as now provided by law for other counties of this State.

SEC. 9. It shall be the duty of the present County Court of St. Louis County to see that all buildings, moneys and other property belonging to the county, which are placed under the control of the city under this Scheme, shall be formally and properly transferred. Said Court shall cause all records, books, papers, etc., now in the office of said Court to be turned over to the Register, who shall duly schedule same, and report the same for inspection of the Mayor. All employees and officers now in the service of the county in connection with public institutions, or otherwise under appointment of said Court, and within the limits of the City of St. Louis as herein established shall continue in the discharge of their duties under the present rules and regulations until notified to the contrary by the Mayor of the city, who shall have authority to retain or for unfitness discharge such as he may deem necessary, and to fill any vacancies that may occur, until the Municipal Assembly can provide by ordinance for the government of such institutions and regulations of such service.

SEC. 10. All the public buildings, institutions, public parks and property of every character and description heretofore owned and controlled by the County of St. Louis within the limits as extended, including the Court House the County Jail, the Insane Asylum, and the Poor House, are hereby transferred and made over to the City of St. Louis, and all the right, title and interest of the County of St. Louis in said property, and in all public roads and highways within the enlarged limits, is hereby, vested in the City of St. Louis, and divested out of the County; and in consideration of the city becoming the proprietor of all the county buildings and property within its enlarged limits, the city hereby assumes the whole of the existing county debt, and the entire park tax, and the Municipal Assembly shall, as soon as practicable after the adoption of this Scheme and Charter, provide by ordinance for the management

of the property and public institutions hereby placed under its charge.

SEC. 11. The Municipal Assembly shall from time to time make provision by ordinance for the payment of the county debt, and interest thereon, as the same matures, and in all respects said debt shall be considered a city debt, and shall be transferred to the books of the city, and embraced in all official statements of its funded liabilities.

SEC. 12. Until provision is made by ordinance for carrying out the provisions of the preceding sections, and until the officers provided for under the Charter framed and adopted by this Board are elected and qualified, and after this Scheme, and the Charter framed hereunder, go into operation, the present city officers shall qualify under such Charter, and perform all the duties and exercise the powers of their office under such Charter, except as otherwise provided in this Scheme and Charter, and under the ordinances of the city not inconsistent therewith, within the enlarged city limits. For the purpose of electing a Municipal Assembly under such Charter, an election for members of the Municipal Assembly shall be held at the same time as the general State election to be held in November, 1876, and the term of office of the members of said Assembly shall continue for the same time and on the same conditions as if the same commenced after the city election in April 1877, as provided for in such Charter. *Provided*, That in case of a vacancy in the office of the Mayor, the present Comptroller of the city shall be authorized to act and shall act as such Mayor until such vacancies shall be filled as provided in the Charter framed under this Scheme. *And provided further*, that all city offices, except the Municipal Assembly and such offices whose incumbents are specifically continued in office till the expiration of their term by this Scheme and Charter and all appointive offices of the city or of any of its departments, shall be vacant from and after the city election provided for in the Charter, to be held in April, 1877, and shall be filled by the officers then elected, and by appointments by the Mayor and officers then elected, as in such Charter prescribed.

SEC. 13. A Board of Finance is hereby created, to consist of the Mayor and Comptroller of the City of St. Louis, and the Justices of the County Court from the Fifth and Sixth Dis-

tricts of St. Louis County, whose duty it shall be immediately after this Scheme goes into operation, to examine and verify the county indebtedness, as the same existed at the time this Scheme went into operation on the books of the county, as to bonds and all other claims, and to ascertain and declare the amount necessary for the payment of the current expenses of the county to such time, and to ascertain the balance of cash, after deducting the amount necessary for the payment of such current expenses, in the hands of the County Treasurer and the source whence derived. And all collections made on account of taxes for interest and the parks and that portion of said balance which was collected for general purposes within the extended city limits, shall be paid into the City Treasury—and that portion which was collected for general purposes within the County of St. Louis as constituted by this Scheme shall be paid into the treasury of said county, and the same course shall be pursued with reference to all moneys coming into the hands of the present County Treasurer after this Scheme shall go into operation. The term of the present County Treasurer shall cease when the Treasurer for the County of St. Louis as herein constituted shall have been elected and qualified. The County Auditor shall properly account for all school moneys for which he is in any way responsible to the proper authorities, and all tax collections for school purposes made either by the City or County of St. Louis for the present or any other year shall be applied only to the support of public schools. All debts and obligations due or payable or belonging to the present County of St. Louis shall be considered due and payable to the City of St. Louis, and the right to sue for and to adjust and collect same or any part thereof shall be vested in said city. The amount above ascertained for the payment of current expenses shall be paid in the manner provided by law out of the sum above reserved for such purpose.

SEC. 14. The Metropolitan Police force of the City of St. Louis, as now established by law, shall be maintained at the cost of the City of St. Louis: *Provided* however, that the Metropolitan Police of the City of St. Louis shall have the same power and jurisdiction in the County of St. Louis, as constituted by this Scheme as now provided by law. *Pro-*

vided that upon a petition of the County Court of St. Louis County, the Board of Police Commissioners shall appoint and equip not more than twenty policemen as provided in the act approved March 13, 1867, for duty in said county. The cost of equipping and maintaining said police shall be paid by the county as herein established.

SEC. 15. Until otherwise provided by law, all the present Justices of the Peace and Constables shall hold their offices until the expiration of their present terms, and only such Justices and Constables shall be elected in November, 1876, as may be necessary to fill vacancies. All commissions of Justices of the Peace and Constables elected in the City of St. Louis shall be issued by the Mayor, and a record thereof kept by the City Register. All bonds of Constables, and of all Notaries Public appointed, shall be approved by the Mayor and a record of the same shall be kept in said Register's office.

SEC. 16. The Mayor of the City of St. Louis, with the approval of the Council, may appoint any number of competent persons, being civil engineers, as City Surveyors, whose duties and powers shall be as now provided by law in regard to County Surveyors; but all applicants shall produce satisfactory testimonials of good character and competency and when appointed shall give bond in the sum now required by law from surveyors in St. Louis County and the County Court of St. Louis may appoint County Surveyors under the same restrictions. The present County Surveyors, commissioned by the County Court under an act entitled "An act to amend Chapter 27 of the General Statutes of Missouri relating to County Surveyors," approved March 25, 1872, may continue in authority and in discharge of their present duties in the City and County of St. Louis until the expiration of the commissions held by them respectively, and the said City Surveyors shall have power to execute in the County of St. Louis all orders of the Circuit Court of the Eighth Judicial Circuit, as they were authorized to do before this Scheme went into operation.

SEC. 17. All Notaries Public now commissioned by the Governor for St. Louis County shall exercise the official powers and duties of such office within the City and County of St. Louis, as constituted by this Scheme, and the City Register shall keep a complete record of all Notaries acting within

the City of St. Louis, and of their bonds and the dates of their commissions, and of the expiration thereof.

SEC. 18. The Sheriff of the City of St. Louis shall, within the limits of said city exercise the authority now vested by law in the Sheriff of the County of St. Louis, and after this Scheme shall go into operation, all writs and other process which are now by law provided to be executed by the Sheriff of the County of St. Louis, within the city limits, shall be directed to and executed by the Sheriff of the City of St. Louis. The City Marshal, after this Scheme goes into operation, in addition to the duties now required by law to be performed by him, shall, within the city limits, exercise the same power and perform the same duties as are now provided by law in regard to the County Marshal. And the Sheriff of St. Louis County shall execute all process directed or delivered to him by any court of record of the County of St. Louis, as are now established by law.

SEC. 19. The Judges of the Election for State and other officers to be held in November, 1876, and for officers of the city and county as provided in this Scheme, shall be appointed as now provided by law, and the same Judges shall act in the election for city and county officers at such November election, 1876 and the returns shall be made to the clerk of the present County Court, who shall officially certify to the result; and in the event of any neglect or failure on the part of said County Court, or any officer of the city or county, to order and arrange for the election herein provided, the St. Louis Court of Appeals, or any Judge thereof, may cause the same to be done, and may in such event appoint Judges and take all other steps necessary to insure the holding of said election in the manner contemplated herein.

SEC. 20. It shall be the duty of all existing officers of St. Louis City and County to assist in carrying out the provisions of this Scheme, so far as any official act is necessary for that purpose, and in all cases in which said officers are continued in office under this Scheme, their duties and compensation shall be the same as are now provided by law.

SEC. 21. The City of St. Louis may purchase, take and hold real estate in the County of St. Louis for the use of the city.

SEC. 22. Until otherwise provided by law, the salaries of all the Judges of courts now paid out of the County Treasury, and of all judicial officers not affected by the operation of this Scheme, shall be paid proportionately by the City and County of St. Louis, according to the aggregate of taxable values in each; and to carry out this section the Municipal Assembly shall annually provide for paying such expenses, and it shall be the duty of the County Court of said county, and a binding obligation thereon, to pay into the City Treasury annually an amount equal to the proportion of the expenses herein indicated; and the officers of said city may make any temporary arrangement necessary to carry out the provisions of this section, until the Municipal Assembly can regulate the subject by ordinance.

SEC. 23. Immediately after this Scheme goes into operation, the present State and County Collector of Revenue shall turn over to the President of the Board of Assessors all the tax bills, then in his hands that apply to lots or parcels of land which shall have become intersected by the new city limits line, for which bills the said President shall return him a detailed receipt, to be held by him (the Collector) as his sufficient voucher, against the corresponding tax amounts for which he may stand charged; and the said President shall proceed at once to make, in lieu of the bills received, new bills, whereon the amounts of taxes shall be separated in the proportion of quality and value of land, or land and improvements respectively lying within and without the newly established city limits, to the end that the taxes distributable to the county and those distributable to the city shall all be represented by separate bills. The new bills thus ordered when completed by the said President, shall be by him delivered to the Comptroller to be examined and stamped, and they shall next, with the least practicable delay, be returned by the Comptroller to the Collector for collection. The old tax bills herein above named shall likewise be, by the President, surrendered to the Comptroller, who shall cancel them.

SEC. 24. The Municipal Assembly shall have power within the City of St. Louis to do all acts and perform all functions not otherwise provided for in this Charter and not incon-

sistent with its terms, which have heretofore been done and performed by the County Court of the County of St. Louis.

SEC. 25. Until the County of St. Louis, as organized by this Scheme, shall otherwise provide, the County Court thereof shall be authorized to send the paupers of said county to the Poor House, or County Farm, now in use, and the insane paupers of said county to the Insane Asylum now in use, and for the maintenance of such paupers shall pay to the Treasurer of the city the cost of maintaining paupers in those institutions, to be ascertained by the annual reports of the same.

SEC. 26. The Circuit Attorney and Assistant Circuit Attorney for the Eighth Judicial Circuit, the Prosecuting Attorney, the Assistant Prosecuting Attorney, and the Clerk of the St. Louis Court of Criminal Correction, and the Clerk of the St. Louis Criminal Court, shall continue to hold their offices and discharge the duties thereof, as now provided by law, until the expiration of their respective terms of office, and until their successors are duly elected and qualified.

SEC. 27. After this Scheme goes into operation, and until otherwise provided by law, the Grand Jury of the Eighth Judicial Circuit shall be selected by the Judge of the St. Louis Criminal Court from the City and County of St. Louis, and shall be summoned by the Marshal of the City of St. Louis.

SEC. 28. All members of Grand Juries selected from the City of St. Louis shall be paid out of the City Treasury, and those from the County of St. Louis shall be paid out of the County Treasury. All payments shall be upon certificates of the Clerk of the St. Louis Criminal Court.

SEC. 29. In the criminal cases occurring in the City of St. Louis, in which, by the law in force prior to this Scheme going into operation, the County of St. Louis was liable to pay costs, such costs shall, after that time, be paid out of the City Treasury, and in like cases occurring in the County of St. Louis, shall be paid out of the Treasury of the County of St. Louis.

SEC. 30. Petit jurors to serve in the Circuit Court of the Eighth Judicial Circuit, in the St. Louis Criminal Court and in the St. Louis Court of Criminal Correction, shall until otherwise provided, be selected and summoned as now provided by law, except that jurors for the said Circuit Court shall be summoned by the Sheriff of the City of St. Louis, and

jurors to serve in the said other two courts shall be summoned by the Marshal of the City of St. Louis. And the act to provide a jury system in St. Louis County, approved March 3, 1857, and the acts amendatory thereof, shall remain in force until altered or repealed, and the present Jury Commissioner of St. Louis County shall remain in office until the expiration of his official term and perform all the duties now required of him by law.

SEC. 31. For all services of petit jurors rendered in the Circuit Court of the Eighth Judicial Circuit, they shall be paid out of the City Treasury, and for all such services rendered by citizens of St. Louis, in the St. Louis Criminal Court and the St. Louis Court of Criminal Correction, they shall be paid out of the City Treasury, and for all such services rendered in the last mentioned courts by citizens of St. Louis County, they shall be paid out of the County Treasury.

SEC. 32. In all cases where, according to the laws in force, up to the time when this Scheme shall go into operation, any public officer or other person was required to pay any money coming into his hands from any source whatever into the County Treasury of St. Louis County, and where it is not otherwise provided in this Scheme, or the Charter framed under it, such officer or person shall, after the time aforesaid, pay all such money into the Treasury of the City of St. Louis, at or within such times as he was theretofore required to pay the same into the County Treasury; and if no time shall be prescribed by law for any such payments, then he shall pay the same monthly, on the first Monday of each month, into said City Treasury, and shall take triplicate receipts therefor, stating the account on which such payment was made, one of which he shall file in the City Auditor's office and one with the Comptroller, who shall charge the Treasurer with the amount so paid; and the said Auditor and Treasurer shall keep accounts showing the account on which such payments were made and the source from which the money was derived. All such money shall be applied and used for the purposes for which it was collected, or for which it is made applicable by law, and in all cases when such money is not set apart or appropriated by law for specific purposes, the Municipal Assembly of the city may appropriate it to such municipal uses as it may

deem proper: *Provided, however*, that all fines, penalties and forfeitures collected or accruing in the County of St. Louis, or on account of said county or the people thereof, shall be paid in the manner and at times aforesaid into the County Treasury of said county, and duplicate receipts shall be taken as aforesaid by the officer or person paying the same, one of which he shall file with the County Clerk of said County who shall charge the Treasurer with the amount so paid, and such money shall be appropriated and used as it is or may be provided by law: *and provided further*, that if any public officer or other person shall at the time this Scheme goes into operation be in default in the payment of any such money into the said County Treasury, he shall immediately pay the same into the said City Treasury in the manner aforesaid and the same shall be disposed of as herein provided.

SEC. 33. All powers heretofore vested in the Collector of the County of St. Louis, and all duties required to be performed by him in reference to taxes on property situated outside of the limits of the City of St. Louis as enlarged, and in reference to the sale of such property for taxes and the redemption thereof, shall, after the election and qualification of the Sheriff of the County of St. Louis, as provided by this Scheme, be executed and performed by such Sheriff, and all deeds for the sale of land for taxes made by him shall be acknowledged before the Clerk of the County Court of St. Louis County.

SEC. 34. The Municipal Assembly shall have power to enact all ordinances that may be necessary to carry into execution the laws relating to State, county, city and other revenue within the City of St. Louis as enlarged, and such powers as are now vested by law in the County Court of St. Louis County or the Clerk of said Court, or the County Collector and Auditor may be exercised by such tribunals and officers as may be provided by ordinance.

SEC. 35. It shall be unlawful for any domestic animal of the species of horse, cattle, mule, ass, swine, sheep or goat to be suffered to run at large, by the owner thereof, in the City or County of St. Louis; and if any such animal be found running at large in said city or county after this Scheme and Charter go into operation, it shall be lawful for any person to

take up and restrain the same forthwith, and such person shall within three days after so taking up and restraining such animal give notice thereof to the owner, if known, and thereupon such owner shall pay a reasonable compensation for taking up, keeping and feeding such animal, and for damages actually caused by such animal. If the owner be not known, or fails to make such reasonable compensation after being notified, any animal so taken up shall be deemed an estray, and may be proceeded against by the taker up thereof, in the manner provided by law in regard to strays; *provided, however*, that this section shall not be so construed as to prohibit any person from driving herding and guarding such stock upon the uninclosed lands belonging to said county, the State, or the United States.

SEC. 36. In all cases where the limits of the City of St. Louis, as herein extended, include a part only of any school district, the following shall be the mode of adjustment as to property held by or for the use or benefit of such district: First, Where the part of such district, included within such extended limits contains any school house or other real estate belonging to the district, the Board of President and Directors of the St. Louis Public Schools shall pay into the County Treasury of St. Louis County, for the use of that part of the district not so included, such proportion of the valuation of said school property as the taxable value of property in the part of such district not so included, bears to the taxable value of all property in such district, as constituted before such extension. Second, Where the part of such district, not included within such extended limits, contains any school house or other real estate belonging to the district, the inhabitants of the district not so included shall pay to the Board of President and Directors of the St. Louis Public Schools, such proportion of the valuation of said school property, as the taxable value of property in the part of such district included within the city limits, bears to the taxable value of all property in such district as constituted before such extension. The valuation of school property mentioned in this section shall be made by arbitrators, one of whom shall be selected by the Board of President and Directors of the St. Louis Public Schools, and one by the Directors of the school district affected, who, if disagreeing, may select a third; or, if unable to agree on the selection of

such third arbitrator, any School Director, or member of the Board of President and Directors of the St. Louis Public Schools, may apply to the Circuit Court of the Eighth Judicial Circuit to appoint one. A report of the valuation made by such arbitrators, or a majority thereof, shall be filed as soon as practicable, in the Clerk's office of the Circuit Court of the Eighth Judicial Circuit. Any money to be paid to the Board of President and Directors of the St. Louis Public Schools, shall be provided for by the assessment, levy and collection of a special tax on all taxable property within such districts not so included.

SEC. 37. All property, real, personal or mixed, of every kind and description, and the evidence of title thereto now held by the County of St. Louis, or by the County Court of St. Louis County, in trust or for the use of the inhabitants of township forty-five north, or range seven east, for school purposes, and all such property, and the evidences of title thereto held by any public officer for the use of any school district in said township, or held by or for the benefit of any such district, shall, as soon as this Scheme goes into effect, pass and be delivered to the Board of President and Directors of the St. Louis Public Schools; and the title to any and all such property shall, by operation hereof, vest in said Board.

SEC. 38. The Board of President and Directors of the St. Louis Public Schools shall, forthwith after this Scheme goes into effect, cause an enumeration to be taken of all children within school ages within the limits of the City of St. Louis as herein established and the County Court of St. Louis County shall cause forthwith a similar enumeration to be taken within the County of St. Louis outside of the city limits as herein established, showing the enumeration in each school district, and fractional school district separately, a correct report of which enumeration shall be filed by said Board and said court, respectively in the Clerk's office of the Circuit Court of the Eighth Judicial Circuit within sixty days after this Scheme and Charter go into operation. So much of all property of every nature whatsoever, and the evidences thereof, belonging to the school fund of St. Louis County or of Congressional townships affected by the extension of the present city limits, as according to such enumeration, falls to the

share of the district lying within the limits of the City of St. Louis, shall at once pass and be delivered by the County Court of St. Louis County, or public officers in charge thereof, to the Board of President and Directors of the St. Louis Public Schools, and the residue of all said property and the evidences thereof shall pass and be delivered by the present County Court of St. Louis County or public officers in charge thereof to the proper authorities of the County of St. Louis, as constituted by this Scheme. From and after the date this Scheme goes into operation all public officers within the City of St. Louis, shall account for, and pay over to the Board of President and Directors of the St. Louis Public Schools, all fines and penalties and other moneys collected within said city, and heretofore payable into, and forming part of the County School Fund of St. Louis County.

SEC. 39. All claims for the printing, clerk hire, and other expenses of this Board of Freeholders shall be made out, and certified to by the President of the Board immediately after the adjournment of this Board, and such claims, so certified, shall, as soon as this Scheme and the Charter framed thereunder, are adopted, be paid by the Treasurer of the present County of St. Louis out of the general revenue of said county, and such payments shall be allowed to said Treasurer in the settlement of his accounts as provided for in this Scheme.

CHARTER OF THE CITY OF ST. LOUIS.

- ARTICLE I. Corporate powers, boundaries and wards.
 II. Election and registration.
 III. Legislative department.
 IV. Executive and administrative department.
 V. Revenue and taxation.
 VI. Public improvements—street openings.
 VII. Water works.
 VIII. Public parks.
 IX. Harbor and wharf department.
 X. Street railroads.
 XI. Fire department.
 XII. Health department.
 XIII. Schools.
 XIV. Sinking fund.
 XV. Public printing.
 XVI. Miscellaneous provisions.

ARTICLE I.

CORPORATE POWERS, BOUNDARIES AND WARDS.

SECTION

1. Corporate name and powers—
authority to purchase, hold
and dispose of property—to re-
ceive bequests, etc., and have a
common seal.

SECTION

2. Corporate limits and bound-
aries.
3. Ward boundaries.
4. Correction of ward limits and
permanent division lines.

SECTION 1. Corporate Name and Powers—Authority to Purchase, Hold and Dispose of Property—To Receive Bequests, Etc., and have a Common Seal.—The inhabitants of all that district of country embraced within the limits prescribed in the next succeeding section, shall be and continue a body corporate by the name and style of "The City of St. Louis," and by that name shall have perpetual succession, shall sue and be sued, implead and be impleaded, defend and be defended in all courts of law and equity, and in all actions whatsoever; may purchase, receive and hold property, real or personal, within said city, and beyond the limits of the city, to be used for the burial of the dead of the city, for the erection of waterworks to supply the city with water, for the establishment and erection of gasworks to supply the city with light,

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for the establishment of a hospital or hospitals for the reception of persons infected with contagious or other diseases, for a poor house or poor houses, work house, house of correction, or for any other purposes; may sell, lease or otherwise dispose of any property for the benefit of the city; may receive bequests, gifts and donations, of all kinds of property, within or without the city, in fee simple or in trust, for charitable or other purposes, and do all acts necessary to carry out the purposes of such bequests, gifts and donations, with power to manage, sell, lease or otherwise dispose of the same; and may have and use a common seal, and may break, change or alter the same at pleasure.

SEC. 2. Corporate Limits and Boundaries.—The corporate limits of the City of St. Louis shall comprise all that district of country situated in the County of St. Louis and State of Missouri, to-wit: Beginning at a point in the middle of the main channel of the Mississippi River, and running thence westwardly at right angles to said channel, to a point on the west bank of said river 200 feet south of the center of the mouth of the River des Peres; thence westwardly and parallel to the center of the River des Peres, and 200 feet south thereof, to the eastern line of the Lemay Ferry road; thence westwardly to a point in the west line of said Lemay Ferry road at its intersection with the center of the Weber road; thence westwardly along the center of the Weber road to its intersection with the east line of lot one (1) of the Carondelet commons south of the River des Peres; thence westwardly to the southeast corner of Rudolph Overman's, or northeast corner of B. B. Haar's land; thence westwardly to said Haar's northwest corner; thence northwestwardly to a point in the center of the Gravois road six hundred (600) feet southwardly from the center of the bridge across the River des Peres; thence northwestwardly to the southeast corner of lot thirty-one (31) of the subdivision of the Mackenzie tract in U. S. Survey 1,953; thence northwestwardly in continuation of said last mentioned line to the southern line of lot twenty-one (21) of the subdivision of the said Mackenzie tract; thence northwestwardly to a point in the southern line of the U. S. Survey 2,035; twenty-six (26)

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chains eastward from the southwest corner of said survey; thence northwardly to a point in the north line of the subdivision of East Laclede, six hundred (600) feet west of the McCausland road; thence northwardly and parallel to the center of the McCausland road, to a point on the Clayton road six hundred (600) feet west of its intersection with the McCausland road; thence northwardly and parallel with the Skinker road, and six hundred (600) feet west thereof, to its intersection with the old Bonhomme road; thence northeasterly to the intersection of the center lines of McLaren avenue and Mead street; thence in a northeasterly direction to a point in the Bellefontaine road six hundred (600) feet north of its intersection with the Columbia Bottom road; thence northwardly and parallel with the center line of the Columbia Bottom road to the northern boundary line of the U. S. Survey number (114) one hundred and fourteen; thence eastwardly along said line to the center of the main channel of the Mississippi River; thence with the meanderings of said channel southwardly to the point of beginning.

WARD BOUNDARIES.

***SEC. 3. Ward Boundaries.**—The City of St. Louis shall be divided into twenty-eight wards, the boundaries of which shall be as follows:

First Ward--Beginning at a point in the middle of the main channel of the Mississippi River opposite the north line of the present city limits; thence in a direct line to the north boundary of the City of St. Louis; thence in a westerly and southwesterly direction with the city limits to the Wabash Railway; with the Wabash Railway to Broadway, with Broadway to Calvary avenue, with Calvary avenue to Florissant avenue, with Florissant avenue to Euclid avenue, with Euclid avenue to Natural Bridge road, with Natural Bridge road to Marcus avenue, with Marcus avenue to St. Louis avenue, with St. Louis avenue to Newstead avenue, with Newstead avenue to Ashland avenue, with Ashland avenue to Clay avenue, with Clay avenue to Natural Bridge road, with Natural Bridge road

*The ward boundaries here given were established by ordinance 19,289, approved March 28, 1898, under authority of Sec. IV, Art. 1, of charter.

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to Fair avenue, with Fair avenue to Carter avenue, with Carter avenue to Adelaide avenue, with Adelaide avenue to Florissant avenue, with Florissant avenue to Warne avenue, with Warne avenue to Carter avenue, with Carter avenue to Obear avenue, with Obear avenue to Florissant avenue, with Florissant avenue to Ferry street, with Ferry street to Eleventh street, with Eleventh street to Angelica street, with Angelica street and Angelica street extended to the middle of the main channel of the Mississippi River, up the middle of the main channel of the river to the place of beginning.

Second Ward—Beginning at a point in the middle of the main channel of the Mississippi River opposite foot of Angelica street; thence in a direct line to and with Angelica street to Blair avenue, with Blair avenue to Salisbury street, with Salisbury street to Nineteenth street, with Nineteenth street to Hebert street, with Hebert street to Eleventh street, with Eleventh street to Madison street, with Madison street to Blair avenue, with Blair avenue to Chambers street, with Chambers street to Thirteenth street, with Thirteenth street to Tyler street, with Tyler street to Eleventh street, with Eleventh street to Brooklyn street, with Brooklyn street and Brooklyn street extended to the middle of the main channel of the Mississippi River, up the middle of the main channel to place of beginning.

Third Ward—Beginning at a point in the middle of the main channel of the Mississippi River opposite foot of Brooklyn street; thence in a direct line to and with Brooklyn street to Eleventh street, with Eleventh street to Cass avenue, with Cass avenue to Blair avenue, with Blair avenue to O'Fallon street, with O'Fallon street to Thirteenth street, with Thirteenth street to Carr street, with Carr street to Eleventh street, with Eleventh street to Wash street, with Wash street to Third street, with Third street to Carr street, with Carr street and Carr street extended to the middle of the main channel of the Mississippi River, up the middle of the main channel to place of beginning.

Fourth Ward—Beginning in the middle of the main channel of the Mississippi River, opposite Carr street, thence with Carr street to Third street, with Third street to Wash street, with

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Wash street to Eleventh street, with Eleventh street to Morgan street, with Morgan street to Twelfth street, with Twelfth street to Gay street, with Gay street to Thirteenth street, with Thirteenth street to Lucas avenue, with Lucas avenue to Sixteenth street, with Sixteenth street to Franklin avenue, with Franklin avenue to Eighteenth street, with Eighteenth street to Lucas avenue, with Lucas avenue to Seventeenth street, with Seventeenth street to Pine street, with Pine street to Fifteenth street, with Fifteenth street to Locust street, with Locust street to Fourteenth street, with Fourteenth street to St. Charles street, with St. Charles street to Thirteenth street, with Thirteenth street to Market street, with Market street to Twelfth street, with Twelfth street to Pine street, with Pine street to Seventh street, with Seventh street to Market street, with Market street to the middle of the main channel of the Mississippi River, up the main channel of the Mississippi River to the place of beginning.

Fifth Ward—Beginning at a point in the middle of the channel of the Mississippi River, opposite Market street, thence in a direct line and with Market street to Seventh street, with Seventh street to Pine street, with Pine street to Twelfth street, with Twelfth street to Market street, with Market street to Thirteenth street, with Thirteenth street to St. Charles street, with St. Charles street to Fourteenth street, with Fourteenth street to Locust street, with Locust street to Fifteenth street, with Fifteenth street to Pine street, with Pine street to Fourteenth street, with Fourteenth street to Clark avenue, with Clark avenue to Sixteenth street, with Sixteenth street to Missouri Pacific Railroad, with Missouri Pacific Railroad and Cerre street to Fourth street, with Fourth street to Plum street, with Plum street and Plum street extended to the middle of the main channel of the Mississippi River, up the middle of the main channel to the place of beginning.

Sixth Ward—Beginning at a point in the middle of the main channel of the Mississippi River opposite foot of Plum street; thence in a direct line to and with Plum street to Fourth street, with Fourth street to Cerre street, with Cerre street and the Missouri Pacific Railway to Twenty-second street,

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with Twenty-second street to Chouteau avenue, with Chouteau avenue to Grattan street, with Grattan street to Park avenue, with Park avenue to Thirteenth street, with Thirteenth street to Rutger street, with Rutger street and Rutger street extended to the middle of the main channel of the Mississippi River, up the middle of the main channel to the place of beginning.

Seventh Ward—Beginning at a point in the middle of the main channel of the Mississippi River, opposite the foot of Rutger street; thence in a direct line to and with Rutger street to Thirteenth street, with Thirteenth street to Park avenue, with Park avenue to Dolman street, with Dolman street to Lafayette avenue, with Lafayette avenue to Fourteenth street, with Fourteenth street to Geyer avenue, with Geyer avenue to Eleventh street, with Eleventh street to Lafayette avenue, with Lafayette avenue to Broadway, with Broadway to Lesperance street, with Lesperance street to Second street, with Second street to North Trudeau street, with North Trudeau street, Trudeau street and Trudeau street extended to the middle of the main channel of the Mississippi River, up the middle of the main channel to the place of beginning.

Eighth Ward—Beginning at a point in the middle of the main channel of the Mississippi River opposite of Trudeau street, thence in a direct line to and with Trudeau street and North Trudeau street to Second street, with Second street to Lesperance street, with Lesperance street to Broadway, with Broadway to Lafayette avenue, with Lafayette avenue to Eleventh street, with Eleventh street to Victor street, with Victor street to Twelfth street, with Twelfth street to Lynch street, with Lynch street to Thirteenth street, with Thirteenth street to Pestalozzi street, with Pestalozzi street to Ninth street, with Ninth street to Dorcas street, with Dorcas street to Broadway, with Broadway to Victor street, with Victor street and Victor street extended to the middle of the main channel of the Mississippi River, up the middle of the main channel to the place of beginning.

Ninth Ward—Beginning at a point in the middle of the main channel of the Mississippi River, opposite foot of Victor street, thence in a direct line to and with Victor street to Broad-

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way, with Broadway to Dorcas street, with Dorcas street to Ninth street, with Ninth street to Pestalozzi street, with Pestalozzi street to Thirteenth street, with Thirteenth street to Lynch street, with Lynch street to Jefferson avenue, with Jefferson avenue to Miami street, with Miami street to Broadway, with Broadway to Potomac street, with Potomac street and Potomac street extended to the middle of the main channel of the Mississippi River, up the middle of the main channel to the place of beginning.

Tenth Ward—Beginning at a point in the middle of the main channel of the Mississippi River opposite foot of Potomac street, thence in a direct line to and with Potomac street to Broadway, with Broadway to Miami street, with Miami street to Jefferson avenue, with Jefferson avenue to Gravois avenue, with Gravois avenue to Magnolia avenue, with Magnolia avenue to Pennsylvania avenue, with Pennsylvania avenue to Arsenal street, with Arsenal street to Grand avenue, with Grand avenue to Osceola street, with Osceola street and Osceola street extended to the middle of the main channel of the Mississippi River, up the middle of the main channel to the place of beginning.

Eleventh Ward—Beginning at a point in the middle of the main channel of the Mississippi River opposite foot of Osceola street; thence in a direct line to and with Osceola street to Grand avenue, with Grand avenue to Gravois avenue, with Gravois avenue to Eichelberger street, with Eichelberger street and Eichelberger street extended to western city limits, with western and southern city limits to the middle of the main channel of the Mississippi River, up the middle of the main channel of the river to the place of beginning.

Twelfth Ward—Beginning at intersection of Fourteenth street and Lafayette avenue; thence with Lafayette avenue to Jefferson avenue, with Jefferson avenue to Ann avenue, with Ann avenue to Ohio avenue, with Ohio avenue to Russell avenue, with Russell avenue to Oregon avenue, with Oregon avenue to Lafayette avenue, with Lafayette avenue to Grand avenue, with Grand avenue to Arsenal street, with Arsenal street to Pennsylvania avenue, with Pennsylvania avenue to Mag-

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nolia avenue, with Magnolia avenue to Gravois avenue, with Gravois avenue to Jefferson avenue, with Jefferson avenue to Lynch street, with Lynch street to Twelfth street, with Twelfth street to Victor street, with Victor street to Eleventh street, with Eleventh street to Geyer avenue, with Geyer avenue to Fourteenth street, with Fourteenth street to Lafayette avenue, the place of beginning.

Thirteenth Ward—Beginning at intersection of Grattan street and Chouteau avenue; thence with Chouteau avenue to Twenty-second street, with Twenty-second street to Missouri Pacific Railway, with Missouri Pacific Railway to West Jefferson avenue, with West Jefferson avenue to Chouteau avenue, with Chouteau avenue to Compton avenue, with Compton avenue to Rutger street, with Rutger street to Montrose avenue, with Montrose avenue to Park avenue, with Park avenue to Pennsylvania avenue, with Pennsylvania avenue to Lafayette avenue, with Lafayette avenue to Oregon avenue, with Oregon avenue to Russell avenue, with Russell avenue to Ohio avenue, with Ohio avenue to Ann avenue, with Ann avenue to Jefferson avenue, with Jefferson avenue to Lafayette avenue, with Lafayette avenue to Dolman street, with Dolman street to Park avenue, with Park avenue to Grattan street, with Grattan street to Chouteau avenue, the place of beginning.

Fourteenth Ward—Beginning at intersection of Fourteenth street and Pine street; thence with Pine street to Beaumont street, with Beaumont street to Laclede avenue, with Laclede avenue to Ewing avenue, with Ewing avenue to Bernard street, with Bernard street to Jefferson avenue, with Jefferson avenue and West Jefferson avenue to Missouri Pacific Railway, with Missouri Pacific Railway to Sixteenth street, with Sixteenth street to Clark avenue, with Clark avenue to Fourteenth street, with Fourteenth street to Pine street, the place of beginning.

Fifteenth Ward—Beginning at the intersection of Eleventh street and Carr street; thence with Carr street to Thirteenth street, with Thirteenth street to O'Fallon street, with O'Fallon street to Fourteenth street, with Fourteenth street to Biddle street, with Biddle street to Sixteenth street, with Sixteenth street to Carr street, with Carr street to Twenty-second street,

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with Twenty-second street to Pine street, with Pine street to Seventeenth street, with Seventeenth street to Lucas avenue, with Lucas avenue to Eighteenth street, with Eighteenth street to Franklin avenue, with Franklin avenue to Sixteenth street, with Sixteenth street to Lucas avenue, with Lucas avenue to Thirteenth street, with Thirteenth street to Gay street, with Gay street to Twelfth street, with Twelfth street to Morgan street, with Morgan street to Eleventh street, with Eleventh street to Carr street to the place of beginning.

Sixteenth Ward—Beginning at intersection of Eleventh and Tyler streets; thence with Tyler street to Thirteenth street, with Thirteenth street to Chambers street; thence with Chambers street to Blair avenue, with Blair avenue to Madison street, with Madison street to Fifteenth street, with Fifteenth street to Chambers street, with Chambers street to Sixteenth street, with Sixteenth street to Mullanphy street, with Mullanphy street to Hogan street, with Hogan street to Cass avenue, with Cass avenue to Jefferson avenue, with Jefferson avenue to Carr street, with Carr street to Sixteenth street, with Sixteenth street to Biddle street, with Biddle street to Fourteenth street, with Fourteenth street to O'Fallon street, with O'Fallon street to Blair avenue, with Blair avenue to Cass avenue, with Cass avenue to Eleventh street, with Eleventh street to Tyler street, the place of beginning.

Seventeenth Ward—Beginning at intersection of Twenty-second and Hebert streets; thence with Hebert street to Florissant avenue, with Florissant avenue to Farrar street, with Farrar street to Glasgow avenue, with Glasgow avenue to Hebert street, with Hebert street to Jefferson avenue, with Jefferson avenue to Cass avenue, with Cass avenue to Hogan street, with Hogan street to Maiden Lane, with Maiden Lane to Nineteenth street, with Nineteenth street to Benton street, with Benton street to Twenty-second street, with Twenty-second street to Hebert street, to the place of beginning.

Eighteenth Ward—Beginning at intersection of Eleventh and Hebert streets; thence with Hebert street to Twenty-second street, with Twenty-second street to Benton street, with

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Benton street to Nineteenth street, with Nineteenth street to Maiden Lane, with Maiden Lane to Hogan street, with Hogan street to Mullanphy street, with Mullanphy street to Sixteenth street, with Sixteenth street to Chambers street, with Chambers street to Fifteenth street, with Fifteenth street to Madison street, with Madison street to Eleventh street, with Eleventh street to Hebert street, the place of beginning.

Nineteenth Ward—Beginning at intersection of Eleventh street and Ferry street; thence with Ferry street to Florissant avenue, with Florissant avenue to Obear avenue, with Obear avenue to Carter avenue, with Carter avenue to Warne avenue, with Warne avenue to Florissant avenue, with Florissant avenue to Adelaide avenue, with Adelaide avenue to Carter avenue, with Carter avenue to Fair avenue, with Fair avenue to Natural Bridge road, with Natural Bridge road to Clay avenue, with Clay avenue to Ashland avenue, with Ashland avenue to Sarah street, with Sarah street to St. Louis avenue, with St. Louis avenue to Jefferson avenue, with Jefferson avenue to Hebert street, with Hebert street to Glasgow avenue, with Glasgow avenue to Farrar street, with Farrar street to Florissant avenue, with Florissant avenue to Hebert street, with Hebert street to Nineteenth street, with Nineteenth street to Salisbury street, with Salisbury street to Blair avenue, with Blair avenue to Angelica street, with Angelica street to Eleventh street, with Eleventh street to Ferry street, to place of beginning.

Twentieth Ward—Beginning at intersection of Jefferson avenue and St. Louis avenue; thence with St. Louis avenue to Coleman street, with Coleman street to Magazine street, with Magazine street to Webster avenue, with Webster avenue to Easton avenue, with Easton avenue to Ewing avenue, with Ewing avenue to Lucas avenue, with Lucas avenue to Beaumont street, with Beaumont street to Franklin avenue, with Franklin avenue to Jefferson avenue, with Jefferson avenue to St. Louis avenue, the place of beginning.

Twenty-first Ward—Beginning at intersection of Ewing and Easton avenues; thence with Easton avenue to Webster avenue, with Webster avenue to Magazine street, with

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Magazine street to Coleman street, with Coleman street to St. Louis avenue, with St. Louis avenue to Spring avenue, with Spring avenue to Cozens avenue, with Cozens avenue to Prairie avenue, with Prairie avenue to Evans avenue, with Evans avenue to Vandeventer avenue, with Vandeventer avenue to Delmar boulevard, with Delmar boulevard to Grand avenue, with Grand avenue to Lucas avenue, with Lucas avenue to Ewing avenue, with Ewing avenue to Easton avenue, the place of beginning.

Twenty-second Ward—Beginning at intersection of Twenty-second and Carr streets; thence with Carr street to Jefferson avenue, with Jefferson avenue to Franklin avenue, with Franklin avenue to Beaumont street, with Beaumont street to Lucas avenue, with Lucas avenue to Grand avenue, with Grand avenue to Laclede avenue, with Laclede avenue to Beaumont street, with Beaumont street to Pine street, with Pine street to Twenty-second street, with Twenty-second street to Carr street, the place of beginning.

Twenty-third Ward—Beginning at intersection of Ewing and Laclede avenues; thence with Laclede avenue to Vandeventer avenue, with Vandeventer avenue to Manchester avenue, with Manchester avenue to Papin street, with Papin street to Missouri Pacific Railway, with Missouri Pacific Railway to Tower Grove avenue, with Tower Grove avenue to Folsom avenue, with Folsom avenue to Grand avenue, with Grand avenue to Lafayette avenue, with Lafayette avenue to Pennsylvania avenue, with Pennsylvania avenue to Park avenue, with Park avenue to Montrose avenue, with Montrose avenue to Rutger street, with Rutger street to Compton avenue, with Compton avenue to Chouteau avenue, with Chouteau avenue to West Jefferson avenue, with West Jefferson avenue and Jefferson avenue to Bernard street, with Bernard street to Ewing avenue, with Ewing avenue to Laclede avenue, the place of beginning.

Twenty-fourth Ward—Beginning at intersection of Grand and Folsom avenues; thence with Folsom avenue to Tower Grove avenue, with Tower Grove avenue to Missouri Pacific Railway, with Missouri Pacific Railway to Old Manchester

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road, with Old Manchester road to Boyle avenue, with Boyle avenue to Norfolk avenue, with Norfolk avenue to Tower Grove avenue, with Tower Grove avenue to Swan avenue, with Swan avenue to Newstead avenue, with Newstead avenue to Missouri Pacific Railway, with Missouri Pacific Railway to King's Highway boulevard, with King's Highway boulevard to south line of Forest Park, with south line of Forest Park to Skinker road, with Skinker road to Clayton avenue, with Clayton avenue to western city limits, with western city limits in a southerly direction, to a point where Eichelberger street extended would intersect the city limits, with Eichelberger street extended and Eichelberger street to Gravois avenue, with Gravois avenue to Grand avenue, with Grand avenue to Folsom avenue, the place of beginning.

Twenty-fifth Ward—Beginning at intersection of Grand avenue and Delmar boulevard; thence with Delmar boulevard to Vandeventer avenue, with Vandeventer avenue to Cook avenue, with Cook avenue to Pendleton avenue, with Pendleton avenue to Fairfax avenue, with Fairfax avenue to Whittier street, with Whittier street to Olive street, with Olive street to Boyle avenue, with Boyle avenue to Lindell boulevard, with Lindell boulevard to Newstead avenue, with Newstead avenue to Forest Park boulevard, with Forest Park boulevard to Boyle avenue, with Boyle avenue to Chouteau avenue, with Chouteau avenue to Newstead avenue, with Newstead avenue, offset on Manchester avenue to Swan avenue, with Swan avenue to Tower Grove avenue, with Tower Grove avenue to Norfolk avenue, with Norfolk avenue to Boyle avenue, with Boyle avenue to Old Manchester road, with Old Manchester road to Missouri Pacific Railway, with Missouri Pacific Railway to Papin street, with Papin street to Manchester avenue, with Manchester avenue to Vandeventer avenue, with Vandeventer avenue to Laclede avenue, with Laclede avenue to Grand avenue, with Grand avenue to Delmar boulevard, the place of beginning.

Twenty-sixth Ward—Beginning at intersection of St. Louis and Spring avenues; thence with St. Louis avenue to Sarah street, with Sarah street to Ashland avenue, with Ash-

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land avenue to Newstead avenue, with Newstead avenue to St. Louis avenue, with St. Louis avenue to Pendleton avenue, with Pendleton avenue to Kennerly avenue, with Kennerly avenue to Marcus avenue, with Marcus avenue to Garfield avenue, with Garfield avenue to Taylor avenue, with Taylor avenue to Cook avenue, with Cook avenue to Vandeventer avenue, with Vandeventer avenue to Evans avenue, with Evans avenue to Prairie avenue, with Prairie avenue to Cozens avenue, with Cozens avenue to Spring avenue, with Spring avenue to St. Louis avenue, the place of beginning.

Twenty-seventh Ward—Beginning at intersection of Pendleton and St. Louis avenues; thence with St. Louis avenue to Marcus avenue, with Marcus avenue to Natural Bridge road, with Natural Bridge road to Euclid avenue, with Euclid avenue to Florissant avenue, with Florissant avenue to Calvary avenue, with Calvary avenue to Broadway, with Broadway to Wabash Railway, with Wabash Railway to western city limits, with western city limits to Page boulevard, with Page boulevard to Taylor avenue, with Taylor avenue to Garfield avenue, with Garfield avenue to Marcus avenue, with Marcus avenue to Kennerly avenue, with Kennerly avenue to Pendleton avenue, with Pendleton avenue to St. Louis avenue, the place of beginning.

Twenty-eighth Ward—Beginning at intersection of Pendleton and Cook avenues; thence with Cook avenue to Taylor avenue, with Taylor avenue to Page boulevard, with Page boulevard to western city limits, with western city limits to Clayton avenue, with Clayton avenue to Skinker road, with Skinker road to southwest corner of Forest Park, with south line of Forest Park to King's Highway boulevard, with King's Highway boulevard to Missouri Pacific Railway, with Missouri Pacific Railway to Newstead avenue, with Newstead avenue to Chouteau avenue, with Chouteau avenue to Boyle avenue, with Boyle avenue to Forest Park boulevard, with Forest Park boulevard to Newstead avenue, with Newstead avenue to Lindell boulevard, with Lindell boulevard to Boyle avenue, with Boyle avenue to Olive street, with Olive street to Whittier street, with Whittier street to Fairfax avenue, with Fairfax

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avenue to Pendleton avenue, with Pendleton avenue to Cook avenue, the place of beginning.

NOTE—In the above ward descriptions where streets and avenues are named, it is understood to be the center of each street or avenue, and where railroads are named, it is understood to be the center of the main track.

***SEC. 4. Correction of Ward Limits and Permanent Division Lines.**—The Municipal Assembly shall, every five years after the adoption of this Charter, establish corrected ward limits, which correction shall be made as near as practicable so as to equalize the number of registered voters in each ward; but in making the division the present eastern and western boundaries of wards as herein established shall be retained, so that Rosatti, Twelfth and Eleventh streets, Jefferson avenue and the present city limits shall remain division lines.

* By the terms of the Act of March 31, 1885 (Laws of 1885, p. 72), a commission, on February 17, 1887, appointed by one of the Judges of the Circuit Court of the City of St. Louis, established ward lines, which remained until the Municipal Assembly established new ward lines by Ordinance No. 16,662, approved April 22, 1892; and the ward lines were again changed by Ordinance No. 19,289, approved March 28, 1898, which established the existing ward lines.

ARTICLE II.

ELECTION AND REGISTRATION.*

SECTION.

1. General election for city officers.

SECTION 1. A general election of all elective officers required by this Charter or by any ordinance of this city shall be held on the first Tuesday in April, 1877, and every four years thereafter, except as otherwise provided in this Charter and the Scheme.

*All the original charter sections except Section 1 of Article II have been superseded by laws passed by the General Assembly, Laws, 1899, pp. 179-197.

ARTICLE III.

LEGISLATIVE DEPARTMENT.

SECTION

1. Municipal Assembly to consist of two Houses.

MEMBERS OF MUNICIPAL ASSEMBLY—ORGANIZATION AND SESSIONS.

2. Council composed of 13 members, qualifications, etc.
3. Terms of members of first Council; tie vote; one-half of Council to be elected biennially.
4. House of Delegates elected every two years.
5. Qualifications of members of House of Delegates.
6. Additional qualifications for members of Assembly; oath of members, etc.
7. Vacancies in Assembly, how filled.
8. Each House to appoint its own officers and be judge of the election, etc., of its own members; tie vote; may punish for contempt; president of Council elected every four years; speaker of House; quorum; sessions; adjournments, etc.
9. Journal of proceedings.
10. Members of Assembly ineligible for office during terms.
11. One annual session.

LEGISLATIVE PROCEEDINGS.

12. Style of ordinances.
13. Origin, amendment and passage of bills; report on public improvement bills required within limited time.
14. Compensation of members of Assembly.
15. Engrossment of bills.
16. Vote of majority of members elect necessary to pass bill.

SECTION

17. Amendments; reports of committees on Conference.
18. Reference to title insufficient to re-enact.
19. Form of amendments.
20. Motion to reconsider, etc.
21. Ordinances to take effect ten days after approval, except in cases of emergency.
22. Bills to be signed in open session; to be read at length; objections, how disposed of.
23. Bills approved to be returned by Mayor within ten days.
24. Mayor may object to items of appropriation and approve portions of bill.
25. Veto of ordinances by Mayor.

LEGISLATIVE POWERS ENUMERATED—LIMITATIONS.

26. Legislative powers vested in Mayor and Assembly.

First—To assess, levy and collect taxes; borrow and appropriate money.

Second—To establish, improve, light, sprinkle, etc., streets; condemn property; repairs of streets, bridges, etc.; water-courses, water works; Police and Fire Departments.

Third—Municipal buildings; market places, and authority to improve or sell parks, etc.

Fourth—To improve harbor; regulate ferries; create port wardens; regulate mooring of vessels; lease portions of wharf, etc.

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SECTION.

Fifth—To license, tax, and regulate various kinds of business, etc.; fix rates for carriage, drayage, etc., and regulate width of tires; to suppress certain occupations and amusements.

Sixth—To establish quarantine; regulate quarrying, slaughtering of animals, and abate nuisances; summary power of Mayor.

Seventh—To establish standard for weights and measures; inspection of lumber, etc., and various articles of food and manufacture, etc.

Eighth—To regulate and provide for elections; fix jury fees, salaries, etc.

Ninth—To prevent riots; to regulate or prohibit animals running at large; obstructions on streets, etc.

Tenth—To impose and collect fines, etc.; commitments to Workhouse.

Eleventh—To protect rights of city in corporations; grant, regulate or repeal railway franchises; free passes on street railways prohibited.

SECTION.

Twelfth—To examine premises; regulate storage of gunpowder, etc., prohibit wooden buildings, and enforce precautions against fire; inspection of buildings, etc.

Thirteenth—To provide for insane persons and paupers; assessments, etc., of state revenue.

Fourteenth—General authority to pass and enforce ordinances; provide for census.

27. To guard against fires in public halls, etc.

28. Numbering, printing, etc., of ordinances; repeal of same.

29. Revision of general ordinances.

30. Assembly forbidden to remit taxes or compromise claims.

31. Power to compel attendance of witnesses, etc., and administer oaths.

32. Power to distribute duties of officers and abrogate offices.

33. Appropriations for charitable purposes.

34. Stone quarries, soap factories, etc., forbidden within 300 feet of dwellings, except by consent.

35. Restrictions as to cholera, small-pox patients.

SECTION I. The Municipal Assembly.—The legislative power of the City of St. Louis shall be vested in a Council and a House of Delegates, to be styled the "Municipal Assembly of the City of St. Louis."

MEMBERS OF MUNICIPAL ASSEMBLY—ORGANIZATION AND SESSIONS.

***SEC. 2. The Council.**—The Council shall consist of thirteen members, one of whom shall be its president, who shall be chosen on a general ticket by the qualified voters of the city, for four years, subject to the exception stated in the next section. Every member of the Council shall be a qualified

*The provision originally contained in Section 2, requiring members of the Council to be free-holders of property, was repealed by Section 5259 of the Revised Statutes, 1899, and is omitted.

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voter, at least thirty years of age, and shall have been a citizen of this State five years, and an inhabitant of the city for one year next before the day of his election.

SEC. 3. Terms of Councilmen First Elected—Elections.—Of the members of the Council first elected, the president and the six receiving the highest number of votes shall hold their office for four years, and the other six for only two years. In case of a tie the senior in age shall hold for four years. At each general election thereafter for members of the House of Delegates, members of the Council shall be elected to succeed those whose terms will then have expired.

SEC. 4. House of Delegates—Election.—The House of Delegates shall consist of one member from each ward, to be chosen every two years by the qualified voters of the several wards.

SEC. 5. Qualification of Delegates.—Every member of the House of Delegates shall, before the day of election, have attained the age of at least twenty-five years, have been a citizen of the United States and an inhabitant of the city three years, and of the ward which he may be chosen to represent, one year, and shall have paid city and State taxes for at least two years next before the day of election.

SEC. 6. Additional Qualifications.—In addition to qualifications in the preceding sections, every member of the Municipal Assembly shall possess the following: He shall not be directly or indirectly interested in any contract with the city, or any department or institution thereof, and shall not be indebted to the State or city on account of any tax. He shall not have been convicted of malfeasance in office, bribery or other corrupt practices or crimes. Before any member of the Council or House of Delegates shall take his seat or perform the duties of his office, he shall take and subscribe an oath before the Register, (who shall file the same in his office,) that he possesses all the qualifications required in this and the preceding sections, and is not subject to any of the disqualifications therein named, and that he will support the Constitution of the United States and of this State, and faithfully discharge the duties of his office. Any member, who shall at any time

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during his term cease to possess any of the qualifications mentioned in this and the preceding sections, shall thereby forfeit his office, and the same shall be filled as provided for in cases of other vacancies.

SEC. 7. Vacancies in Assembly—How Filled.—Whenever a vacancy occurs, from any cause, in the office of any member of the Assembly, the Mayor, upon information thereof, shall, by proclamation, order an election to fill such vacancy for the unexpired term thereof, if the same exceed three months, to be held upon some day named in such order, not less than twenty nor more than thirty days next after the issuing of the proclamation.

SEC. 8. Officers—Prerogatives of Assembly—Sessions—Quorum—Adjournment.—Each house shall appoint its own officers, except the president of the Council, and shall be sole judge of the qualifications, election and returns of its own members; and in case of a tie vote shall certify the same to the Mayor, who shall order a new election; may determine the rules of its own proceedings, except as herein provided; may arrest and punish by fine, not exceeding three hundred dollars, or imprisonment, as provided by ordinance, not exceeding ten days, or both, any person not a member, who shall be guilty of disrespect to the house by any disorderly or contemptuous behavior in its presence during its sessions; may punish its members for disorderly conduct, and with the concurrence of two-thirds of all members-elect, may expel a member; but no member shall be expelled a second time for the same cause. The presiding member of the Council shall be designated as "president," and shall be elected as such by the qualified voters, by general ticket every four years. The presiding officer of the House of Delegates shall be designated as "speaker," and be elected by the members thereof. A majority of the whole number of members of each house shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may compel the attendance of absent members in such a manner and under such penalties as each house may provide. The sessions of each house shall be held with open doors. Neither house shall, without consent of the

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other, adjourn for more than seven days at any one time, nor to another place than that in which the two houses may be sitting. The Assembly shall hold its sessions in the City Hall, subject to temporary change as aforesaid.

SEC. 9. Journal to Be Kept.—Each house shall keep a journal of its proceedings, and the yeas and nays of the members on any question shall, at the desire of any two members, be taken and entered therein.

SEC. 10. Members Ineligible to Office During Term.—No member of the Assembly shall, during the term for which he is elected, be eligible or appointed to any office under the city, nor shall any member of the Assembly, while such, be an employe of the city, or of either branch of the Assembly, in any capacity whatever, and no compensation shall be audited or paid for services as such officer or employe.

***SEC. 11. One Annual Session.**—One session of the Assembly shall be held annually, beginning on the third Tuesday of April.

LEGISLATIVE PROCEEDINGS.

SEC. 12. Style of Ordinances.—The style of ordinances of this city shall be: "*Be it ordained by the Municipal Assembly of the City of St. Louis, as follows:*"

†SEC. 13. Origin, Amendment and Passage of Bills—Report on Public Improvement Bills Required Within Limited Time.—No ordinance shall be passed except by bill, and no bill shall be so amended in its passage through either house as to change its original purpose. Bills may originate in either house, and may be amended or rejected by the other; and every bill shall be read on three different days in each house. Except as hereinafter specifically provided, no bill shall be considered for final passage unless the same has been reported upon by a committee. No bill (except general appropriation bills, which may embrace the various subjects and accounts for and on account of which moneys are appropriated), shall contain more than one subject, which shall be clearly ex-

*This section is an amendment to the Charter, adopted at the charter amendment election held on October 6, 1885.

†This section is an amendment to the Charter, adopted at the charter amendment election held October 22, 1901.

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pressed in its title. Any bill or matter recommended by the Board of Public Improvements and referred to either a standing or special committee of the Council or House of Delegates shall be reported upon by that committee within forty days from the time it was so referred. In the event of failure of such committee to so report within the time specified, the bill or subject matter shall be considered as before the Council or House of Delegates, as the case may be, and shall be referred to a committee of the whole Council or House of Delegates, and acted upon by said committee of the whole.

SEC. 14. Compensation of Members.—Each member of the Assembly shall be entitled to receive, for his official services of every kind, annually, during his term of office, three hundred dollars, and no more; but may be paid his reasonable expenses, authorized and incurred in any such service, to be approved by the house of which he is a member. Whenever a member of the Assembly is absent, without leave from his house first obtained therefor, for an entire sitting of any meeting, he shall forfeit one dollar of his official compensation; and for this purpose the roll of each house shall be called at each meeting thereof, and the names of such absentees shall be entered upon the journal, and be reported at the close of each meeting to the auditor, who shall deduct from each member's allowance the amount of forfeitures incurred as aforesaid.

SEC. 15. Engrossment of Bills.—All amendments adopted by either house, to a bill pending and originating in the same, shall be incorporated with the bill by engrossment. The engrossing shall be under the supervision of a committee of three, whose report to the house shall set forth, in writing, that they find the bill truly engrossed, and correct.

SEC. 16. Majority Vote Necessary to Pass Bill.—No bill shall become an ordinance unless on its final passage the majority of the members elected to each house vote in its favor, and the vote be taken by yeas and nays, and the names of the members voting for and against the same be entered on the journal.

SEC. 17. Amendments, Conference Reports.—No amendment to bills by either house shall be concurred in by the other.

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except by a vote of a majority of the members elected thereto, taken by yeas and nays, and the names of those voting for and against, recorded upon the journal thereof; and reports of committees of conference shall be adopted in either house only by the vote of a majority of the members elected thereto, taken by yeas and nays, and the names of those voting recorded upon the journal.

SEC. 18. Reference to Title Insufficient to Re-Enact.—No ordinance shall be revived or re-enacted by mere reference to the title thereof, but the same shall be set forth at length, as if it were an original ordinance.

SEC. 19. Form of Amendment.—No ordinance shall be amended by providing that designated words thereof be stricken out, or that designated words be inserted, or that designated words be stricken out and others inserted in lieu thereof; but the ordinance or section amended shall be set forth in full, as amended.

SEC. 20. Motion to Reconsider.—When a bill is put upon its final passage in either house, and failing to pass, a motion is made to reconsider the vote by which it was defeated, the vote upon such motion to reconsider shall be immediately taken, and the subject finally disposed of before the house proceeds to any other business.

SEC. 21. When Ordinances to Take Effect.—No ordinance passed by the Assembly, except the general appropriation ordinance, shall take effect or go in force until ten days after its approval, unless in case of an emergency, (which emergency must be expressed in the preamble or in the body of the ordinance,) the Assembly shall, by a vote of two-thirds of all the members elected to each house, otherwise direct; said vote to be taken by yeas and nays, and entered upon the journal.

SEC. 22. Signing of Bills—Reading—Objections.—No bill shall become an ordinance until the same shall have been signed by the presiding officer of each of the two houses in open session; and before such officer shall affix his signature to any bill, he shall suspend all other business, declare that such bill will now be read and that, if no objections be made, he will sign the same to the end that it may become an ordi-

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nance. The bill shall then be read at length, and if no objections be made, he shall, in the presence of the house in open session, and before any other business is entertained, affix his signature, which fact shall be noted on the journal, and the bill immediately sent to the other house. When it reaches the other house, the presiding officer thereof shall announce the reception of the bill, and the same proceedings shall thereupon be observed, in every respect, as in the house in which it was first signed. If in either house any member shall object that any substitution, omission or insertion has occurred, so that the bill proposed to be signed is not the same in substance and form as when considered and passed by the house, such objection shall be passed upon by the house, and if sustained, the presiding officer shall withhold his signature.

***SEC. 23. Return of Bills by Mayor.**—Every bill, immediately after its passage in both houses, shall be presented to the Mayor, for his approval or disapproval. And the Mayor shall, within ten days after such presentation, consider and return such bill to the house in which it originated with his approval indorsed thereon or accompanied by his objection. If he approves the same it shall become a law, or in case the Municipal Assembly remain in session for ten days after such presentation, and the Mayor fails to return such bill as herein required, it shall become a law as if approved by him. Provided, that if the Municipal Assembly shall finally adjourn within ten days after any such presentation, the Mayor shall, within ten days after such adjournment, return such bill to the Register, with his approval or reasons for disapproval. otherwise it shall become a law as if approved.

SEC. 24. Executive Privilege as to Items of Appropriation.—If any ordinance presented to the Mayor contain several items of appropriation, he may object to one or more items while approving other portions of the bill. In such case, he shall append to the ordinance at the time of signing it, a statement of the items to which he objects, and the appropriation so objected to shall not take effect. If the Assembly be in ses-

*This section is an amendment to the Charter, adopted at the charter amendment election held on October 6, 1885.

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sion, he shall transmit to the house in which the ordinance originated, a copy of such statement, and the items objected to shall be separately reconsidered. If it be not in session, then he shall transmit the same within ten days to the Register, with his approval, or reasons for disapproval.

SEC. 25. Action on Vetoes.—Every bill presented as aforesaid, but returned without the approval of the Mayor, and with his objections thereto, shall stand as reconsidered in the house to which it is returned. The house shall cause the objections of the Mayor to be entered at large upon the journal, and proceed, at its convenience, to consider the question pending, which shall be in this form: "Shall the bill pass, the objections of the Mayor thereto notwithstanding?" The vote upon this question shall be taken by yeas and nays, and the names entered upon the journal, and if two-thirds of all the members elected to the house vote in the affirmative, the presiding officer of that house shall certify that fact on the rolls, attesting the same by his signature, and send the bill, with the objections of the Mayor, to the other house, in which like proceedings shall be had in relation thereto, and if the bill receives a like majority of the votes of all the members elected to that house, the vote being taken by yeas and nays, the presiding officer thereof shall in like manner certify the fact upon the bill. This bill, thus certified, shall be deposited in the office of the Register, as an authentic act, and shall become an ordinance in the same manner, and with like effect, as if it had received the approval of the Mayor.

LEGISLATIVE POWERS ENUMERATED—LIMITATIONS.

SEC. 26. Legislative Powers Vested in Mayor and Assembly.—The Mayor and Assembly shall have power within the city, by ordinance not inconsistent with the constitution, or any law of this State, or of this charter—

***First—To Levy and Collect Taxes, Borrow and Appropriate Money.**—To assess, levy and collect all taxes for general

*This paragraph is an amendment to the Charter, adopted at the charter amendment election, held October 22, 1901.

City of St. Louis authorized to issue \$5,000,000.00 of bonds to aid World's Fair, by amendment of the Constitution, Article X, Section 12, adopted at election held November 6, 1900.

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and special purposes, on real and personal property and licenses and on any or all of the subjects or objects of taxation which the municipality may tax under the constitution and laws of this State; to borrow money on the faith and credit of the city, by the issue or sale of bonds or notes, for such amounts, and for such time, and for such purpose as may be required for current expenses, and for payment of maturing bonds and for such other purposes as may be authorized by this charter or by the constitution of this State in force at the time; but no note for the purpose of borrowing money shall be made or issued for a longer period than twelve months; to appropriate the money of the city for legitimate purposes, and provide for its debts and expenses.

Second—To Establish, Improve, Light, Sprinkle, Etc., Streets—Condemn Property—Repair Streets, Bridges, Etc.—Water Courses—Water Works—Police and Fire Departments.—To establish, open, vacate, alter, widen, extend, pave, or otherwise improve, and sprinkle all streets, avenues, sidewalks, alleys, wharves and public grounds and squares, and provide for the payment of the costs and expenses thereof in the manner in this charter prescribed; and also to provide for grading, lighting, cleaning and repairing the same, and to condemn private property for public uses, as provided for in this charter; to construct and keep in repair all bridges, streets, sewers and drains, and to regulate the use thereof, and to confine, wall up, cover over, alter or change the channel of water courses; to establish and maintain waterworks for fully supplying the city with wholesome water, and to distribute the same for public and private uses in such manner and upon such terms as shall be provided by ordinance; to establish and maintain a sanitary system, a system of police and a fire department; *Provided*, That no system of police shall be established or maintained, other than the present metropolitan system, as long as the same is established by law.

Third—Municipal Buildings, Market Places—Authority to Improve or Sell Parks, Etc.—To erect, purchase or rent a city hall, work houses, houses of correction, poor houses, insane asylums, engine houses, and all other necessary municipi-

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pal buildings; to establish market places and meat shops, and license, regulate, sell, lease, abolish, or otherwise dispose of the same; and to inclose, improve, regulate or sell all parks and other public grounds belonging to the city.

Fourth—To Improve Harbor, Regulate Ferries, Create Port Wardens, Regulate Mooring of Vessels, Lease Portions of Wharf, Etc.

—To construct all needful improvements in the harbor; to control, guide or deflect the currents of the river; to erect, repair and regulate public wharves and docks; to regulate marine railways; to regulate and license all ferries and towboats, towing boats or other water craft, into, or out of, or within the harbor; to sell ferry privileges within the city limits, and to establish ferry rates; create the office of port wardens, and define their duties; to regulate the stationing, anchoring and mooring of vessels and wharfboats within the city; to charge and collect wharfage and tonnage dues, levee rates, and wharfage on firewood, lumber, timber, logs, shingles, staves, posts, laths, and other articles brought to the port of St. Louis; to set aside, or lease, portions of the unpaved wharf for special purposes, such as the erection of sheds, elevators and warehouses, and for railroad tracks, for quay-places, for the landing of lumber for mills, for cotton presses, for manufactories, and for any purpose tending to facilitate the trade of the city,—but no permit to use any portion of the wharf, or any lease of the same, shall be granted for a term exceeding fifty years.

****Fifth—To License, Tax and Regulate Various Kinds of Business, Etc.; Fix Rates for Carriages, Drayage, Etc.; Regulate Width of Tires—To Suppress Certain Occupations and Amusements.***

—To license, tax and regulate lawyers, doctors, doctresses, undertakers; dentists, auctioneers, grocers, merchants, retailers, hotels, boarding houses, tenement houses, office buildings, public buildings, public halls, public grounds, concerts, photographers, artists, agents, porters, runners, drummers, public lecturers, public meetings and shows, real estate agents and brokers, financial agents and brokers, horse

*By section 5260, Revised Statutes, 1899, municipal corporations in this State are forbidden to license lawyers and doctors.

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and cattle dealers, patent-right dealers, inspectors and gaugers, stock yard proprietors, examiners of titles, conveyancers, mercantile agents, insurance companies and insurance agents, bankers, banking or other corporations or institutions, telegraph companies or corporations, street railroad cars, livery and sale stables, hackney carriages, private carriages, barouches, buggies, wagons, omnibuses, carts, drays and other vehicles, and all other business, trades, avocations or professions whatever; to fix the rates for carriage of persons, and of wagonage, drayage and cartage of property, and regulate the width of the tires of all vehicles for heavy transportation; to license, regulate, tax or suppress ordinaries, hawkers, peddlers, brokers, pawnbrokers, money changers, intelligence offices, public masquerade balls, street exhibitions, dance houses, fortune tellers, pistol galleries, lottery ticket dealers, corn doctors, lock, private and venereal hospitals, museums and menageries, equestrian performances, horoscopic views, lung testers, muscle developers, magnifying glasses, billiard tables or any other tables or instruments used for amusement, circuses, operatic, theatrical and other exhibitions, shows and amusements; saloons, beer houses, tippling houses, dram shops, and gift enterprises; and to suppress prize fights, coon fighting, dog fights, chicken cock fights, gaming or gambling houses; and to suppress bawdy and disorderly houses, houses of ill-fame and of assignation; to provide for and enforce the registration of all births, marriages or deaths; to license, tax, regulate or suppress all occupations, professions and trades not hereinbefore enumerated, of whatever name and character.

Sixth—To Establish Quarantine—Regulate Quarrying—Slaughtering of Animals and Abate Nuisances—Summary Powers of Mayor.—To establish and enforce quarantine laws and regulations; to prevent the introduction and spread of contagious diseases; to establish and regulate hospitals, and to secure the general health of the inhabitants by any measure necessary; to regulate stone quarries and quarrying of stone, and the slaughtering of animals; provide for the erection, management and regulation of slaughter houses; prevent the driving of stock through the city; prohibit the erection of soap

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factories, stock yards, and slaughter houses, pig pens, cow stables and dairies, coal oil and vitriol factories within prescribed limits, and to remove and regulate the same; and to regulate or prevent the carrying on of any business which may be dangerous or detrimental to the public health, or the manufacture or vending of articles obnoxious to the health of the inhabitants; and to declare, prevent and abate nuisances on public or private property and the causes thereof; and the Mayor, whenever in his opinion a nuisance exists, on public or private property, or whenever a nuisance has been so declared by ordinance or resolution of the Board of Health, is authorized to abate and remove such nuisance and the cause thereof in a summary manner, at the cost of the owner or occupant of the premises where the nuisance, or the cause thereof may be, and for that purpose may enter upon and take possession of any premises or property where such nuisance may exist or be produced.

Seventh—To Establish Standard for Weights and Measures—Inspection of Lumber and Various Articles of Food, Manufacture, Etc.—To regulate and establish the standard of weights and measures to be used in the City of St. Louis, and provide for the inspection of the same; to make provision for the inspection and measurement of lumber and other building material; for the inspection of steam boilers and all steam-heating apparatus, and to license engineers using steam boilers in said city; for the inspection of beef, pork, flour, meal, oil, coal oil, naphtha, benzine and other burning fluids, molasses, syrups, turpentine, vinegar, beer and ale, wines, whisky, rum, brandy and other spirituous liquors in barrels, hogsheads and other vessels; for the inspection and weighing, or measuring hay or stone coal, charcoal, firewood, and all other kinds of fuel to be used in the City of St. Louis; for the inspection of butter, cheese, milk, lard and other provisions; for regulating the weight and quality of bread; the price and quality of gas; and for the inspection and vending of meat, poultry, fish and vegetables; to designate the place where such articles shall be sold; restrain and punish the forestalling of poultry, butter, eggs, vegetables and fruit, and regulate or suppress hucksters;

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Provided, That nothing in this article shall be construed as to authorize the inspection of any article enumerated in this act, which is to be shipped beyond the limits of the city, except at the request of the owner thereof; and, *provided further*, that the inspectors, under this subdivision shall be qualified by practical experience to discharge their respective duties.

Eighth—To Regulate and Provide for Election or Appointment of City Officers, Etc.—Salaries and Jurors' and Witness Fees.—To regulate and provide for the election or appointment of city officers required by this Charter, or authorized by ordinance, and provide for their suspension or removal; and they shall establish the salaries of all officers and the compensation of all employes, excepting day laborers, and jurors and witnesses, respectively, for their services: *Provided*, That the salary of no officer shall be changed during the term for which he is elected or appointed, and that no officer receiving a salary shall receive any fees or other compensation for his services.

Ninth—To Prevent Riots, Regulate or Prohibit Animals from Running at Large—Obstructions on Streets, Etc.—To restrain and prevent any riot, rout, noise, disturbance, or disorderly assemblage, and amusements dangerous to persons or property, in any street, house or place in the city, and regulate or prohibit the running at large of cattle, cows, hogs, goats, dogs and every other brute animal within the limits of the city; to prevent and remove all obstructions and encroachments upon the sidewalks, curbstones, carriageways, streets, avenues and alleys, at the expense of the owners of the ground fronting thereon, and to regulate and prohibit the building of vaults under sidewalks.

Tenth—To Impose and Collect Fines, Etc.—Commitments to Workhouse.—To impose, collect and enforce fines, forfeitures and penalties, for the breach of any city ordinance. Any offender who shall neglect, or refuse to pay any fine, penalty and costs that may have been imposed upon him or her, shall be committed to the workhouse, or, in case of women, in such other place as for them may be provided, until such fine, penalty and costs be fully paid: *Provided*, that no such im-

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prisonment shall exceed six months for any one offense. Every person so committed to the workhouse, or such other place aforesaid, shall be required to work for the city, at such labor as his or her health and strength will permit, within or without said workhouse or other place, not exceeding ten hours each working day; and for such work the person so employed shall be allowed, exclusive of his or her board, fifty cents per day for each day's work, on account of said fine and costs.

Eleventh—To Protect Rights of City in Corporations—Grant, Regulate and Repeal Railway Franchises—Free Passes on Street Railways Prohibited.—To take all needful steps in and out of the State, to protect the rights of the city, in any corporation in which the city may have acquired an interest; to have sole power and authority to grant to persons or corporations, the right to construct railways in the city, subject to the right to amend alter or repeal any such grant in whole or in part, and to regulate and control the same, as to their fares, hours and frequency of trips, and the repair of their tracks, and the kind of their rails and vehicles; but every right so granted shall cease, unless the work of construction shall be begun within one year from the granting of the right, and be continued to completion with all reasonable practical speed, and it shall be the cause of forfeiture of the rights and privileges derived from the city, of any railroad company operating its road only within this city, which shall allow any person to ride or travel on its road gratuitously or for less than usual price or fare, unless such person be an officer or employe of such company.

Twelfth—To Examine Premises—Regulate Storage of Gunpowder, Etc.—Prohibit Wooden Buildings, and Enforce Precautions Against Fire—Inspection of Buildings, Etc.—The Assembly through its officers or agents, may at all reasonable times, enter into and examine all dwellings, lots, yards, enclosures and buildings of every description, to ascertain their condition for health, cleanliness and safety; take down and remove buildings, walls, or superstructures, that are or may become dangerous, or require owners to remove or put them in a safe and secure condition, at their own expense; regulate the

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storage of gunpowder, giant powder, dynamite, nitro-glycerine, and other explosive compounds and of all combustible and inflammable materials, the use of lights and candles in stables, shops and other places; remove, or prevent, the construction of any fire-places, chimneys, stove, oven, boiler, kettle or any apparatus used in any house, building, manufactory or business, which is liable to cause fires, or conflagrations; direct the safe deposit of ashes, or other dangerous rubbish or material, and order and regulate the building of partition, parapet and fire walls, partition fences, smoke flues, hot-air flues, smoke stacks, and the erection and cleaning of chimneys: shall provide for the safe construction, inspection and repairs of all private or public buildings within the city; regulate, restrain or prohibit the erection of wooden buildings within the prescribed limits and remove the same at the owner's expense when erected or suffered to remain contrary to law or ordinance; compel persons to aid in extinguishing fires, or in the preservation of property liable to be destroyed or stolen, and compel owners of buildings to have scuttles on their roofs and stairs or ladders leading thereto.

Thirteenth—To Provide for Insane Persons and Paupers—Assessments, Etc., of State Revenue.—To provide for the support and maintenance and confinement of insane persons; and to make suitable provisions for the maintenance and support of poor persons; to exercise the same powers and perform the same duties in regard to the assessment and collection of the State revenue, within the City of St. Louis, as is now by law vested in the County Court of St. Louis County, in such manner as provided by ordinance.

Fourteenth—General Welfare Clause—General Authority to Pass and Enforce Ordinances—Census of Inhabitants.—Finally, to pass all such ordinances, not inconsistent with the provisions of this Charter, or the laws of the State, as may be expedient, in maintaining the peace, good government, health and welfare of the city, its trade, commerce and manufactures, and to enforce the same by fines and penalties, not exceeding five hundred dollars, and by forfeitures not exceeding one thousand dollars; to purchase, rent, or lease,

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within the limits of the city or elsewhere, any real or personal property, and to control, manage, sell or lease, or otherwise dispose of the same, for such purposes and considerations as they may deem proper for the public welfare of the city, and to provide for the enumeration of the inhabitants of the city.

SEC. 27. Fires to be Guarded Against.—The Assembly shall, without unnecessary delay, enact stringent and efficient laws for securing the safety of persons from fire in halls and buildings let or used for public assemblies, and for entertainments or amusements.

SEC. 28. Numbering, Printing and Repeal of Ordinances.—Every ordinance when passed and approved by the Mayor, or when it shall have become a law, shall be sent to the City Register, and by him shall be numbered, printed, filed, and preserved in his office, according to ordinance; and no special or general ordinance, which is in conflict or inconsistent with general ordinances of prior date, shall be valid or effectual until such prior ordinance, or the conflicting parts thereof, are repealed by express terms.

SEC. 29. Revision of General Ordinances.—There shall be a revision of the general ordinances of the city once in every five years, to be provided for by ordinance.

SEC. 30. Remission of Taxes—Compromise of Claims Forbidden.—The Assembly shall not have power to relieve any citizen from the payment of any lawful tax, or to exempt him from any burden imposed upon him by law, or ordain the payment of any demand not authorized and audited according to law, nor shall the Assembly have power to ordain or authorize the compromise of any disputed demand, or any allowance therefor or therein, except as provided in the contract therefor, or the payment of any damages claimed for alleged injuries to person or property, except by ordinance and adopted by a vote of two-thirds of the members of each house taken by yeas and nays.

SEC. 31. Power to Compel Attendance of Witnesses.—The Assembly or either house, shall have power to compel the attendance of witnesses, and the production of papers relating to any subject under consideration, and in which the interests

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of the city are involved, and shall have power to call upon any proper officer of the City of St. Louis to execute such process. The President of the Council and Speaker of the House, and the chairman of any committee of either house, shall have authority to administer oaths to witnesses.

SEC. 32. Power to Distribute Duties and Abrogate Offices.—The Assembly shall have the power, by a vote of three-fourths of the members of each house, to transfer and distribute the powers and duties, in part or in whole, of any office provided for in this Charter to another, or others, and in such case the performance of the powers or duties added to those of any office shall not entitle its officer to additional compensation, and in case the entire powers and duties of an office be so transferred and distributed, the compensation of the holder of such office shall cease, and he shall no longer be the officer thereof.

SEC. 33. Appropriations for Charitable Purposes.—The Assembly shall not appropriate any money for charitable purposes, except such as shall be subject to its own supervision and administration, under a system of suitable arrangements to be established, whereby the partakers of the charity shall respectively earn what they receive to the extent of their ability.

SEC. 34. Restrictions as to Quarries, Etc.—No stone quarry shall be opened, or brick-kiln located, or soap factory, slaughter house, bone or rendering factory erected within the distance of 300 feet of any dwelling house built and inhabited before such opening, location or erection, without the consent, in writing, of the owner and of the occupant of every such house. The Assembly shall provide, by ordinance, for the effectual enforcement of this act.

SEC. 35. Restrictions as to Cholera Patients, Etc.—No person, association or corporation shall knowingly receive for medical treatment of the invalid or sick, any patient sick with small-pox, plague, or cholera, unless authorized by an ordinance therefor. Every violation of this section shall be punished by a fine not less than one hundred dollars, nor more than three hundred dollars, to be collected as shall be provided for by ordinance.

ARTICLE IV.

EXECUTIVE AND ADMINISTRATIVE DEPARTMENT.

SECTION

1. Elective officers and their terms.
2. Appointive officers and their terms; first appointments under Charter to be for two years.
3. Board of Public Improvements, how constituted.
4. Gas Commissioner; bonds of officers.
5. Suspension and removal of officers.
6. Suspension of elective officers by Mayor; action of Council thereon.
7. Removal of appointive officers and filling of vacancies.
8. Appointed officers removed by Council; Mayor to fill vacancies.
9. Appointments by Mayor to be confirmed by Council; Council may elect officers, when.
10. Qualifications of elected and appointed officers.
11. Officers to devote their entire time to official duties; hours for municipal business.
12. Removal of elected officers by Council; removal of Mayor.
13. Vacancies in elective offices, how filled.
14. Deputies and assistants; power of Mayor to remove same; offices to be in City Hall.
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25. Police Justices; powers and jurisdiction of.

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26. Police Justices; to be conservators of the peace, etc.; Justices of the Peace to have concurrent jurisdiction in certain cases.
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47. Chiefs of departments to report annually to Mayor and quarterly to Comptroller; books, papers, etc., to be open to inspection by members of Assembly. Mayor and Comptroller: Mayor to submit all reports to Assembly.

48. Reports of Comptroller, Auditor, Treasurer, Collector, City Marshal, and Board of Public Improvements.

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49. Commissioners on Charitable Institutions; their duties and Powers; may remove officers of Institutions.

50. Commissioners on Charitable Institutions to meet monthly at City Hall and visit institutions monthly; may recommend ordinances to Assembly; shall receive no compensation.

SECTION 1. Elective Officers and Their Terms.—The following named city officers shall be elected by the qualified voters of the city, and shall hold their office for a term of four years, and until their successors shall be duly elected and qualified, viz: A Mayor, Comptroller, Auditor, Treasurer, Register, Collector, Recorder of Deeds, Inspector of Weights and Measures, Sheriff,* Coroner,* Marshal, Public Administrator, President of Board of Assessors, and the President of the Board of Public Improvements.

SEC. 2. Appointive Officers and Their Terms—First Appointments Under Charter to be for Two Years.—The Mayor shall appoint the following officers, who shall hold their office for four years, and until their successors shall have been duly appointed and qualified, to-wit: A City Counselor, such District Assessors as may be provided by ordinance, Superintendent of Workhouse, Superintendent of House of Refuge, Superintendent of Fire and Police Telegraph, Commissioner of Supplies, Assessor of Water Rates, two Police Justices, Attorney, Jailor, and five Commissioners on Charitable Institutions: *Provided, however,* that the first appointments under this Charter shall be for two years only, so that the appointments made thereafter, shall be made at the beginning of the third year of the Mayor's term.

SEC. 3. Board of Public Improvements, How Constituted.—He shall also appoint five commissioners, who shall be known as Street Commissioner, Sewer Commissioner, Water Commissioner, Harbor and Wharf Commissioner, and Park

* Term of Sheriff and Coroner is two years, Constitution, Article IX, Section 10.

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Commissioner, who, with the president thereof, shall constitute the Board of Public Improvements.

SEC. 4. Gas Commissioner.—In case the city at any time become the owner of any gas works, then there shall be added to the commissioners before named, a Gas Commissioner.

Bonds of Officers.—All city officers shall give such a bond for the faithful performance of their duties as the Municipal Assembly shall ordain; said bonds shall be approved by the Mayor and Council.

SEC. 5. Suspension and Removal of Officers.—Any elected city officer may be suspended by the Mayor, and removed by the Council for cause; and any appointed officer may be removed by the Mayor or Council for cause. In either case the Mayor shall, temporarily, fill the vacancy, except as herein-after provided.

SEC. 6. Suspension of Elective Officers by Mayor—Action of Council Thereon.—Whenever the Mayor shall suspend any elected officer, he shall immediately notify the Council of such suspension, and the causes therefor. If the Council be not in session, then he shall immediately call a session of the same in such manner as shall be provided by ordinance. The Mayor shall present charges against such suspended officer to the Council, and furnish a copy of the same to said officer, who shall have the right to appear with a legal adviser before the Council for his defense. If a majority of all the members elected shall, by resolution, sanction the action of the Mayor, then the suspended officer shall thereby be removed from office and a new election shall be ordered to fill the vacancy; but if a majority disagree with the Mayor, then he shall be immediately reinstated.

SEC. 7. Removal of Appointive Officers and Filling of Vacancies.—Whenever the Mayor shall remove any appointed officer from office, he shall immediately notify the Council of such removal and the causes therefor, and said Council shall fill the vacancy by electing a suitable person to fill the place. If the Council be not in session, the Mayor shall temporarily fill the vacancy, and shall report the fact of the removal at the

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next session of the Council. The Mayor shall have the same power of removing an officer so elected as if he had been appointed by the Mayor.

SEC. 8. Appointive Officers Removed by Council—Mayor to Fill Vacancies.—All officers appointed by the Mayor shall be subject to removal by a majority of the elected members of the Council, but if so removed, the Mayor shall fill the vacancy by another person, and no confirmation of the Council shall be required. Whenever the removal of any officer by the Council be proposed, and the same is not in session, the President thereof shall, upon a request in writing of five of its members, call a session thereof for the consideration of such removal.

SEC. 9. Appointments by Mayor to be Confirmed by Council—Council May Elect Officers—When.—All appointments made by the Mayor shall require the confirmation of a majority of the members of the Council. If the Council shall refuse to confirm the appointment of the Mayor, then he shall, within ten days thereafter, nominate another person to fill the office, and he may continue to nominate until his nominees are confirmed. If the Mayor fails to make another nomination within ten days from the rejection of a nomination, then the Council shall elect a suitable person to fill the office during the term.

SEC. 10. Qualifications of Elected and Appointed Officers.—All elected and appointed officers shall possess the following qualifications: They shall have been citizens of the United States and of the City of St. Louis for at least two years previous to their election or appointment, and shall be able to read and write the English language. They shall not at the time of their election be in arrear to the city for taxes, or indebted to the city in any way. They shall not be interested either directly or indirectly in any contract with the city, either for work to be performed or supplies to be furnished. They, excepting the Commissioners on Charitable Institutions, shall not hold any State or Federal office, and shall hold their offices until their successors are duly qualified.

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***SEC. 11. Officers to Devote Their Entire Time to Official Duties—Hours for Municipal Business.**—Any city officer, excepting the Mayor and Commissioners on Charitable Institutions, who shall, except when absent from the city, fail to devote his entire time during business hours to the duties of his office, shall be removed or suspended by the Mayor or Council. All city offices shall be kept open from eight o'clock a. m. to six o'clock p. m. from 1st of April to 1st of October, and from nine o'clock a. m. to five o'clock p. m. from 1st of October to 1st of April.

SEC. 12. Removal of Elected Officers by Council—Removal of Mayor.—Any elected city officer may be removed from office by a two-thirds vote of all the members of the Council, notice thereof and an opportunity to be heard by counsel being given to said officer. In case the Mayor shall be removed from office, then the President of the Council shall act as Mayor until a Mayor is elected. Whenever any city officer shall be removed from office by the Council the yeas and nays shall be recorded on the journal of that body.

SEC. 13. Vacancies in Elective Offices, How Filled.—In case any elective office shall become vacant within six months from the expiration of the time for which its incumbent shall have been elected, then the Council shall by election fill the vacancy for the unexpired term. In case the Mayor's office shall become vacant within six months from the expiration of his term, then the President of the Council shall be *ex-officio* Mayor for the unexpired term.

SEC. 14. Deputies of Sheriffs, Etc.—The Sheriff, Coroner and Marshal, may have such deputies as may be provided by ordinance.

*Saturday, half holiday, is provided for by Section 6247, 2 R. S. Mo., 1899, as follows:

SECTION 6247. It shall be the duty of the heads of departments in every county or municipal office in cities which now have or may hereafter have a population of 300,000 inhabitants or over, or in any county adjoining such city, having one or more deputies, assistants or clerks, to close the doors of the said office at twelve o'clock noon on each and every Saturday in the year: Provided, that the person in charge or possession of said office may require such deputies, assistants or clerks to work whenever the necessities of the service, in his judgment, require it; and provided further, that the provisions of this act shall not apply to clerks of courts of record, sheriffs, recorder of deeds, marshals, constables, fire department or police forces. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

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Assistants May be Removed.—The assistants of any officer shall hold their position during good behavior, unless otherwise provided by ordinance but may be removed for cause by the Mayor, or by the officer under whom they work, at his pleasure.

Offices to be in City Hall.—All offices of the several departments of the city shall be in the City Hall or some other building owned by the city, unless otherwise specially provided by the Assembly.

***SEC. 15. Qualifications of Mayor.**—The Mayor shall be the chief executive officer of the city; shall be at least thirty years of age. When the Mayor ceases to possess the qualifications required in this Charter, his office shall become vacant.

SEC. 16. Duties of the Mayor—May Remit Fines, Etc.—May Appoint Examiners.—He shall, from time to time, give the Assembly information relative to the state of the city, and shall recommend to their consideration such measures as he may deem expedient in the interests of the city. He shall take care that the laws of the State and the ordinances of the city are respected and enforced within the city; and may remit fines, costs, forfeitures and penalties duly imposed for violation of any ordinance, and shall make a report of the same to the Assembly at every session thereof. He shall have power to appoint a competent person, or persons, to examine the affairs of any department, or departments, whenever he shall deem it necessary.

SEC. 17. Absence of Mayor, How Provided For.—The President of the Council shall perform the duties of Mayor whenever, and so long as the Mayor from any cause is unable to perform his official duties. If the Mayor and the President of the Council are both absent from the city, or otherwise disabled from performing the duties of the Mayor, the Speaker of the House of Delegates shall, for the time being, discharge the duties of said office, and either of them, while acting as Mayor, shall receive the same compensation as the Mayor.

*The provision originally contained in Section 15 requiring the Mayor to be a freeholder of property in the city, was repealed by Section 5259 of the Revised Statutes, 1899, and is omitted.

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SEC. 18. Special Sessions of the Municipal Assembly.—The Mayor may, by proclamation, call special sessions of the Assembly, giving not less than three days' notice, and shall specially state to them, when assembled, the objects for which they have been convened, and their action shall be confined to such objects.

SEC. 19. Officers to Reside Within the City.—The permanent residence of the Mayor and all other officers of the city except when otherwise provided by ordinance, shall be within the limits or jurisdiction of the city; otherwise their offices, shall become vacant.

SEC. 20. Duties of Comptroller.—The Comptroller shall exercise a general supervision over the fiscal affairs of the city; the collection and return into the treasury and disbursement of all revenue and moneys of the city; of all property, assets, and claims, and the sale or other disposition thereof; and, by and with the advice and consent of the Mayor, shall see that all necessary official and legal proceedings are had for the protection of the city's interests in all such property, assets and claims; that proper rules and regulations are prescribed and observed in relation to all accounts, settlements, and reports connected with the fiscal concerns of the city; that no liability is incurred, or expenditure made from the treasury, without due authority of law; and that appropriations are not overdrawn. He is especially charged with the preservation of the credit and faith of the city in relation to its public debt and other liabilities, and whenever it is necessary to meet payments thereof, principal or interest, he shall, with the written approval of the Mayor, make his requisition for a warrant on the treasury for that purpose; and shall, with the Mayor's written approval, do and perform any and all other acts and things, not inconsistent with the provisions of this Charter, and any ordinance thereunder, as are proper to accomplish the duties contemplated herein. He shall make annual reports to the Assembly and to the Mayor on his request, on the financial condition and requirements of the city, with careful statements and estimates of receipts and expenditures. The records in his office shall show the financial operations, condition, property, assets and claims

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of the city, the expenditures authorized for public works, and all contracts, with names of contractors, in which the city is interested, and the bonded or other indebtedness of the city. He shall require all claims returns, settlements, or reports to be verified by affidavit. He shall countersign all warrants drawn on the city treasury for any payments, except as hereinafter provided, and shall duly record the amount and nature of same. He shall have access to the books and other records of any department under the city government, whenever he so desires, and he shall see that the accounts of the city are kept in a plain, methodical manner.

Bond of Comptroller.—He shall give bond to the city in the sum of not less than three hundred thousand dollars, with not less than three good securities, holders of unincumbered real estate in the City of St. Louis, to be approved by the Mayor and Council.

Additional Duties of Comptroller.—He shall have a seat in either branch of the Municipal Assembly, with a right to debate on any question pertaining to his department, but shall have no vote. Should any judgment be rendered against the city, for which no provision has been made by ordinance, or otherwise, the Comptroller is authorized, with the approval of the Mayor, to effect a temporary loan to meet the same, and to do and perform all other acts with the approval of the Mayor, necessary to preserve the credit and property, or rights of the city, and perform such other duties as may be provided by ordinance. All delinquent or special tax-bills, and all other claims, marshal's, sheriff's, or constables' deeds or certificates of sale, in the nature of liens on property in which she is directly or indirectly interested as owner or creditor, shall be deposited with the Comptroller, and his receipts taken therefor and filed with the Auditor. He shall keep a full and complete register thereof, and whenever the Treasurer's receipt is presented and filed in his office for any such bill or claim, he shall release the same on the register, and, when necessary, the Mayor and Comptroller shall execute a quit-claim deed for the property redeemed.

SEC. 21. Duties of Auditor—Official Bond, Etc.—The Auditor shall be the general accountant of the city, and as

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such it shall be his duty to receive and preserve in his office all accounts, books, vouchers, documents and papers relating to the accounts or contracts of the city, its debts, revenues, and other fiscal affairs, and to adopt a proper mode and manner of double-entry bookkeeping. He shall state and render all accounts filed or kept in his office between the city and other person or body corporate, except when otherwise provided by law or ordinance. He shall examine, adjust and audit all unsettled accounts, claims and demands against the city for the payment of which any money may be drawn from the city treasury, and after having examined the same with all accompanying vouchers and documents, shall certify thereon the balance or true state of such claim or demand, and draw his warrant on the Treasurer in payment thereof; but no such claim or demand, or any part thereof, shall be audited against the city unless it is authorized by law or ordinance, and is in proper and fully itemized form, and unless the amount required for the payment of the same shall have been appropriated for that purpose by the Assembly. He shall have power to administer oaths, and shall require settlements of accounts to be verified by affidavit, whenever he thinks proper, and shall keep the accounts of the city, general and special, in a systematic and orderly manner. He shall give bond to the city in the sum of not less than one hundred thousand dollars, with not less than three securities, who shall be holders of unincumbered real estate within the city, to be approved by the Mayor and Council. He shall audit all bills, when presented in proper form and duly authorized, bearing the necessary signatures, or certificates, and otherwise in accordance with the law and ordinance. He shall be responsible for all acts of his employees.

SEC. 22. Duties of Treasurer.—It shall be the duty of the Treasurer to receive and keep the money of the city, and pay out the same on the warrants drawn by the Auditor and countersigned by the Comptroller, except as hereinafter provided. All moneys belonging to the city received by any officer or agent thereof, either from collections, loans, sale of bonds, fees, fines and penalties, or otherwise, shall be deposited in the city treasury regularly once a day, unless otherwise provided by

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law or ordinance, and, in case the provisions of this section are not complied with, it shall be the Treasurer's duty to report any delinquencies to the Mayor. He shall give triplicate receipts in all cases, one for the party paying, one for the Auditor, and one for the Comptroller, which shall set out the amounts paid and from what it proceeds and to what account credited. All payments on account of pay-rolls shall be made by the Treasurer, after the same have been audited and placed in his hands therefor. His books shall at all times be open to the inspection of the Mayor, Comptroller, or any member of the Municipal Assembly, and he shall report the balance in the treasury each day to the Comptroller and Mayor.

Bond of Treasurer.—He shall give bond for the faithful performance of his duty in the sum of not less than five hundred thousand dollars, with not less than five securities, who shall be holders of unincumbered real estate within the city, to be approved by the Mayor and Council.

Selection of Banks for City Deposits.—The Mayor, Comptroller and Treasurer shall annually select a bank or banking institution which will give the highest rate of interest for the current deposit of the city's funds: *Provided, however,* that before any deposit shall be made by the Treasurer, the said bank or banking institution shall give a bond for five hundred thousand dollars, with good and sufficient securities, to be approved by a unanimous vote of the fund commissioners, for the safe keeping and prompt payment of said funds or any part thereof, when demanded by the Treasurer, and shall at all times keep the securities on its bond satisfactory to said commissioners.*

SEC. 23. Duties of Register.—The Register shall have the custody of the city seal, the public records, the original

* SECTION 6251, 2 R. S. Mo., 1899, adds a clause to this section of the Charter, as follows:

SECTION 6251. In all cities in Missouri having three hundred and fifty thousand inhabitants or more, the Mayor, Comptroller and Treasurer shall annually select a bank or banks which will give the highest rate of interest for the current deposit of the city's funds: *Provided, however,* that, before any deposit shall be made by the Treasurer, the bank shall give a bond for five hundred thousand dollars, with good and sufficient securities, to be approved by the unanimous vote of the Mayor, Comptroller and Treasurer, for the safe keeping and prompt payment of said funds, or any part thereof, when demanded by the Treasurer, and shall at all times keep the securities on its bond satisfactory to the Mayor, Comptroller and Treasurer: and *provided further,* however, that no greater sum than five hundred thousand dollars of the money of the city shall be on deposit in any one bank.

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rolls of ordinances of the Municipal Assembly, all original contracts, deeds and certificates relative to the title of any property of the city, all official, penal, indemnity or security bonds, and such other records, papers, and documents of value, as are not required to be deposited with any other officer, all of which shall be registered by numbers, date, and contents; he shall attest all public instruments or official acts of the Mayor, by his signature and the seal of the city, and shall also certify, under his hand and the seal of the city, all copies of such original documents, records and papers in his office, as may be required by any officer or person, and charge therefor to individuals such fees as may be provided by ordinance, and he shall provide copies of all contracts in his office for the Auditor and Comptroller, when requested so to do by them. He shall have general supervision of the public printing, and shall see that it is executed as hereinafter provided; and shall cause to be printed, filed and preserved, in his office, all ordinances passed by the Assembly; shall register and preserve, in his office, all contracts, the oaths or affirmations taken by the city officers, and may administer such oaths or affirmations. He shall appoint such clerks as he may require, subject to the approval of the Mayor. He shall do and perform all duties now required of the Clerk of the County Court by any general or special law not inconsistent with this section or the Scheme, and shall exercise the same power, authority and jurisdiction as said clerk for the proper execution of the laws of this State.

SEC. 24. Duties of Collector, Official Bond, Etc.—The Collector shall collect all city, State and school taxes, licenses,* wharfage, and all other claims that the city may have against any person, and shall pay the same over to the Treasurer once each day. The State and school taxes collected by him shall be paid as provided by law. He shall give bond, for the faithful performance of his duties, in such sum as the Municipal Assembly may deem requisite, not less than two hundred thousand dollars, with five securities, who are owners of unincumbered real estate in the city, which shall be approved by the Mayor and Council; and shall keep the books and accounts of

* See note to Section 31, Article V.

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his office as may be directed by ordinance, or, in the absence of any definite requirements, the Comptroller shall prescribe the manner of keeping such books and accounts.

SEC. 25. Police Justices, Powers and Jurisdiction of.—The police justices, or any acting justices *pro tem*, shall have jurisdiction over all cases arising under this Charter, and of the violation of any ordinance, or of any provisions of this Charter, subject to appeal, either by the city or defendant, to the St. Louis Court of Criminal Correction, in like manner as provided by law for appeals from justices of the peace in criminal cases to their appellate court, and power to punish all contempts of court, by fine not exceeding one hundred dollars, and by imprisonment not exceeding ten days; and power to enforce all legal orders and judgments, as a court of record may; and power to give final judgment against the principal and security on any forfeited bond or recognizance returnable to this court, subject to an appeal, as in other cases.

SEC. 26. Police Justices to be Conservators of the Peace, Etc.—Justices of the Peace to Have Concurrent Jurisdiction in Certain Cases.—The police justices shall be conservators of the peace through the city, and shall exercise the powers and perform the duties which may be prescribed by ordinance. The justices of the peace within the city shall have concurrent jurisdiction with the police justices in all cases under ordinances or charter, when the Mayor shall direct prosecution before them.

SEC. 27. Municipal Assembly May Increase Number of Police Justices and Establish Judicial Districts—Courts of Police Justices, Where Held.—The Municipal Assembly shall have power, from time to time, by ordinance, passed by a vote of two-thirds of the members elected to each house, to increase the number of police justices, who shall be appointed and hold office for a term of four years, as hereinbefore provided in reference to such justices. Said Assembly shall, by ordinance, divide the city into judicial districts, and may, from time to time, alter the same, and may also give, to the justices of such districts, exclusive jurisdiction of causes arising in their respective districts; and shall, by ordinance, provide for

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holding police courts whenever the justice of any such court is disabled or disqualified by absence, sickness or otherwise from holding the same; may authorize any other police justice or any justice of the peace of the City of St. Louis to hold such court and discharge the duties of such justice during the continuance of the disability or disqualification, and shall also provide for the trial of causes pending in the court of any police justice, in which said justice may be a material witness, or in which he may be interested or of kin to the defendant. The police justices shall hold their court in such places as may be provided by ordinance, and in the absence of and until such provision shall be made, they shall hold them at such places as the Mayor may direct.

SEC. 28. Municipal Assembly to Define Duties of City Officers.—The Municipal Assembly shall, by ordinance, define the duties of all city officers, and may change, increase or diminish, them in a manner not inconsistent with this charter.

SEC. 29. Commissioner of Supplies, His Duties, Etc.—Contracts to be Approved by Mayor.—The Commissioner of Supplies shall purchase all articles needed by the city in its several departments. The Municipal Assembly shall provide, by ordinance, for the purchase of all articles, so far as practicable, by advertising for proposals at stated periods. All purchases made by him without advertising for proposals shall be approved by the Comptroller before the same shall become binding on the city. In advertising for proposals to furnish supplies, quantity and quality of all articles shall be fully stated, and any bidder may bid for any one article named. The award for each article shall, in all cases, be made to the lowest bidder therefor. The Commissioner of Supplies shall furnish to the bidders printed blanks, which shall be filled up by the bidders with the price of the article to be furnished, and shall, in specifying the quantity and quality of any article, recite the advertisement. All bids shall be sealed, and opened at an hour and place to be stated in the advertisement for proposals, in the presence of as many of the bidders as may desire to be present, and shall be subjected to the inspection of the bidders. All bids having any alteration or erasure upon them shall be rejected.

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All contracts shall be approved by the Mayor before they shall become binding upon the city.

SEC. 30. Inspector of Weights and Measures, Duties, Etc.—The Inspector of Weights and Measures shall, at least once in each year, and as much oftener as may be ordained by the Assembly, inspect every scale, weight and measure used in the City of St. Louis, for the purpose of determining the quantity of merchandise sold or offered for sale. The Assembly shall, by ordinance, fix the fee to be paid for such inspection, for which a license shall be granted in every case by the Inspector, and all such fees he shall, monthly, report to the Comptroller, and daily pay into the city treasury. He shall keep a record of all scales and measures inspected by him, specifying date, place of inspection, and the names of the parties for whom the inspection is made. He shall receive a fixed salary for his services. No person within the City of St. Louis shall use any scale, weight or measure to determine the quantity of any merchandise sold or offered for sale, which shall not have been inspected and sealed by the said Inspector.

***SEC. 31. City Marshal, Duties, Etc.—To Serve and Return Notices of Special Tax Bills.**—The Marshal shall execute and return all processes and orders of the Mayor, Law Department, Health Department, Police Justices or Justices of the Peace, St. Louis Criminal Court and St. Louis Court of Criminal Correction, and all notices of special tax bills, under any law or ordinance, except as in this Scheme or this Charter otherwise provided; he shall keep a detailed account of the receipts of all money collected by his office, and of all delinquencies, and shall report all receipts and delinquencies, monthly, to the Comptroller; he shall appoint, with the approval of the Mayor, such deputies as he may require.

SEC. 32. City Counselor, Duties, Etc.—The City Counselor shall be the chief law officer of the city. He shall prosecute and defend all suits originating or pending in any court of record, except the St. Louis Criminal Court and St. Louis Court of Criminal Correction, to which the city is a party, or in

* This section is an amendment to the Charter, adopted at the charter amendment election held on October 22, 1901.

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which the city or any of its officers are officially interested; he shall advise either house of the Assembly or any committee thereof, in writing, when required, as to all legal questions that may arise before them. He shall advise the Mayor, and through him all other officers, in relation to their duties, or in relation to the interests of the city in which they are directly engaged, and from time to time make such reports in relation to the suits in which the city is interested as may be required by the Mayor or the Assembly. He shall have a superintending control over the business intrusted to the City Attorney, and when necessary he shall aid him in the discharge of the duties of his office, at the request of the Mayor.

BOARD OF PUBLIC IMPROVEMENTS.

SEC. 33. Board of Public Improvements—Meeting—Duties of.—The Board of Public Improvements shall meet at least once in each week at its office to consider and take under advisement such business as may come before it. Said Board shall furnish through its President to the Mayor, the Municipal Assembly or either branch thereof, such data and information as may be required, or which it may from time to time deem necessary to impart. A majority of said Board shall form a quorum for the transaction of business, but no final action shall be taken in any matter concerning the special departments of any absent commissioner, unless this business has been made the special order of the day.

SEC. 34. Members of Board to be Heads of Departments.—The commissioners named in section 3 of this article shall be, respectively, the heads of their several departments, and shall be responsible for all actions of their employees.

SEC. 35. Street Commissioner—Duties, Etc.—The Street Commissioner shall have under his special charge the construction, reconstruction, repairing and cleaning of the public streets, alleys and places, excepting parks.

SEC. 36. Sewer Commissioner—Duties, Etc.—The Sewer Commissioner shall have under his special charge the construction, repairs and cleaning of all public district sewers, inlets, manholes, and other appurtenances belonging thereto.

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SEC. 37. Water Commissioner—Duties, Etc.—The Water Commissioner shall have under his special charge the pumping machinery, reservoirs and water pipes, and other property connected with the waterworks. He shall have the superintendence over the enlarging of the works and the laying of water pipe, and shall exercise a general supervision over the entire water works department, excepting the collection of water rates.

SEC. 38. Harbor and Wharf Commissioner—Duties, Etc.—The Harbor and Wharf Commissioner shall have under his special charge the construction and repairs of dykes, wharf and levee, and shall be specially charged with the execution of all ordinances of the city which relate to dykes, wharf and levee, steamboats and all other boats, vessels and rafts. He shall furnish to the Collector such information as will enable the said Collector to collect wharfage and other dues from boats, vessels and rafts.

SEC. 39. Park Commissioner—Duties, Etc.—The Park Commissioner shall have under his special charge and control all the public parks and places and squares of the city, excepting such as are by this Charter, or by their dedication or other special provisions in the nature of a contract, excluded from the control of the city.

SEC. 40. Gas Commissioner—Duties, Etc.—The Gas Commissioner shall have under his special charge and control all the property belonging to the city gas works, and shall exercise a general supervision over the said works and the laying of all gas mains and pipes, and erecting, repairing, lighting and cleaning street lamps.

SEC. 41. President of the Board of Improvements to Have Supervision Over Other Commissioners and Authenticate Special Tax Bills.—The President of the Board of Public Improvements shall preside at the meetings of the Board, and shall have charge of all the public improvements not specially provided for in this article. He shall have a general supervision over the departments of all other Commissioners of the Board of Public Improvements, and shall inform the Mayor or Municipal Assembly of any dereliction of duty

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of any Commissioner. He shall authenticate all special tax bills against property owners chargeable with special taxes for work performed or materials furnished under ordinances of the city, which said bills shall be made out and certified to him by the head of the department under which said work is done or material furnished.

SEC. 42. Assembly May Provide Additional Duties for Board.—The Municipal Assembly shall provide by ordinance such additional duties of and requirements from the Board of Public Improvements and its several members, as it may deem necessary, and for the appointment by them of such assistants and employes as the demands of the several departments may require.

SEC. 43. Oath of City Officers—Bond of Same.—Every officer of the city and his assistants, before entering upon the duties of his office, shall take and subscribe to an oath or affirmation before some judge or justice of the peace or the Register, that he possesses all the qualifications prescribed for his office by the Charter; that he will support the Constitution of the United States, and of the State of Missouri, and the Charter and ordinances of the City of St. Louis, and that he will faithfully demean himself in office. And every officer of the corporation, when so required by law or ordinance, shall, within fifteen days after his election or appointment, and before entering upon the discharge of the duties of his office, give bond to the city in such sum as shall be designated by ordinance, conditioned for the faithful performance of his duties, and that he will pay over all moneys that belong to the city as provided by law. If any person elected or appointed to an office shall fail to take and subscribe such oath or affirmation, or give bond as herein required, his office shall be deemed vacant. For any breach of the condition of said bond, suit may be instituted thereon by the city, or by any person in the name of the City of St. Louis, for the use of such person or persons.

Officers Defined.—The term "officers," whenever used in this Charter, shall include all persons holding any situation

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under the city government or its departments, with an annual salary or for a definite term of office; and the term "fiscal officers," whenever used, shall include all persons engaged in any relation in the collection and disbursement of the city's money.

Forfeiture of Office for Failure to Pay Over Money.—

Any failure on the part of any city officer to pay into the treasury of the city the balance reported by the Auditor to be due from him to the city, upon the adjustment of his account, shall cause a forfeiture of his office, and such balance shall bear interest at ten per centum per annum from the time it should have been accounted for until it shall have been paid into the treasury. The Mayor shall immediately order suit to be commenced in the proper court against the delinquent officer for such balance.

SEC. 44. Mayor to Settle Disputes Between Officers.—

All questions of difference between the officers of the city affecting their relative powers and duties may be referred by either of them to the Mayor, who shall examine and determine such questions, and his decision shall be final as between such officers.

SEC. 45. Power of Assembly to Create Offices.—The Assembly shall have power, by ordinance passed by a vote of two-thirds of the members-elect of each house, to create any other office which it may deem necessary, and to provide for the manner of filling the same.

SEC. 46. Mayor to Enforce Contracts—Officers to Report Violations of Contract.—The Mayor shall see that all contracts and agreements with the city are faithfully kept and performed, and to this end he shall cause legal proceedings to be instituted and prosecuted against all persons or corporations failing to fulfill their agreements with the city. And it is the duty of every city officer, when it shall come to his knowledge that any contract with the city, relating to the business of any office, has been violated by the other contracting party, forthwith to report the fact to the Mayor.

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SEC. 47. Chiefs of Departments to Report Annually to the Mayor and Quarterly to the Comptroller—Books, Papers, Etc., to be Open to Inspection by Members of Assembly, Mayor and Comptroller—Mayor to Submit All Reports to Assembly.—The chief of every department shall report annually to the Mayor, and as often as may be required by him, and quarterly to the Comptroller, a full itemized account of all the money received and paid out by or through said department, and their books, papers, and everything connected with their offices, shall be open for examination and inspection by any member of either house of the Municipal Assembly, and the Mayor and Comptroller. All annual reports shall be submitted by the Mayor, with his message, to the Assembly.

SEC. 48. Report of Comptroller.—The Comptroller shall, at the opening of each stated session of the Assembly, submit his report of the financial condition of the city and of the business in his office, and therewith the reports of all other fiscal officers. His report shall contain his estimates of the receipts and of the necessary appropriations to meet all the wants of the current year.

Report of Auditor.—The report of the Auditor shall comprise full and complete tables of facts in relation to the receipts and expenditures of the revenues since his last annual report, and an exhibit of the condition of the several general and special revenue accounts, individual funds and other accounts on his books, and their balances.

Report of Treasurer.—The Treasurer's report shall exhibit the amount of cash on hand at the date of the last annual report, the amount since received and paid out, respectively, on account of each class of funds, and what balance remains to the credit of each.

Report of Collector.—The Collector's report shall embrace all his collections since his last annual report from all the different sources, respectively, and the expenses of his office in detail.

Report of Marshal.—The Marshal's report shall state how much he has collected from fines, fees and penalties respect-

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ively, of all kinds, and how much from all other sources, and how much he has paid into the treasury, and also the expenses he has incurred and charged, and which were either deducted from his collections, or paid out of the treasury, and on what account, in detail; also the amount of all uncollected bills of fines and fees.

Report of Board of Public Improvements.—The report of the Board of Public Improvements shall set forth in detail the condition of the public works of the city, under appropriate headings, and description of each contract, the names of the contractors, the authority for and amount appropriated to each piece of work or contract, the amount paid thereon prior to the last annual report, the amount since, and an estimate of what is necessary to complete the same; how much, for what purpose, and under what authority expenditures have been made without written contract approved by the Assembly, and all other things in their department of interest to the administration or the public.

SEC. 49. Commissioners on Charitable Institutions—Their Duties and Powers—May Remove Officers of Institutions.—The Commissioners on Charitable Institutions shall have a general visitorial supervision over all penal and charitable institutions supported wholly or in part by the city. They shall have power by an unanimous vote, to remove any appointed officer or employe of such institution, and shall, in case of such removal, notify the Mayor, and request him to fill the vacancy. The Mayor shall have no power to reappoint any person removed by the Commissioners.

SEC. 50. Commissioners on Charitable Institutions to Meet Monthly at City Hall and Visit Institutions Monthly—May Recommend Ordinances to Assembly—Shall Receive No Compensation.—The Commissioners shall meet at least once in each month at their office in the City Hall, and shall visit all the institutions under their supervision at least once in each month. They shall recommend to the Assembly such ordinances as they may deem necessary for the welfare of the persons under their supervision, and in the interest of the city. They shall receive no pay for their services.

ARTICLE V.

REVENUE AND TAXATION.

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2. Assembly may increase tax rate in extended limits.
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5. Blank licenses, tickets, etc., how issued.
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***SECTION 1. Municipal Assembly to Levy and Collect Taxes—Rates for Various Purposes Specified—Rates for Erecting Public Buildings, How Increased—Revenue for Erecting Public Buildings.**—For the support of the government of the city, the improvement thereof, and the payment of the public debt, the Municipal Assembly shall, by ordinance, annually levy, assess and collect taxes on all subjects and ob-

* This section is an amendment to the Charter, adopted at the charter amendment election held on October 22, 1901.

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jects of taxation, and on all property within the city made taxable by law for State purposes; and establish the rate thereof, as follows, to-wit: For municipal purposes a sum not exceeding the maximum authorized by the Constitution of the State, or any amendment thereof; for the payment of the valid indebtedness of the city existing on the seventh day of April, eighteen hundred and ninety, and for the bonds issued in renewal thereof, a percentum sufficient, at least, to meet the requirements of Section two, Article fourteen of this Charter; for the payment of indebtedness which may have been incurred thereafter or may be incurred hereafter, a percentum sufficient at least to pay the interest on such indebtedness as it falls due, and also to constitute a sinking fund for payment of the principal thereof within twenty years from the time of contracting the same, or within such other period as may be permitted by the Constitution of this State in force at the time any such indebtedness is contracted, unless said interest and sinking fund are hereinafter, or hereafter, otherwise provided for; provided, however, that the rates of taxation for the payment of the indebtedness existing on the seventh day of April, eighteen hundred and ninety, as aforesaid, and for the payment of each separate indebtedness thereafter, shall be separately established; and provided further, that for the purpose of erecting public buildings, the rate of taxation for municipal purposes as herein limited, may be increased by the Municipal Assembly, when the rate of such increase and the purpose for which it is intended shall have been submitted to a vote of the people, and two-thirds of the qualified voters of the city, voting at an election to be held for that purpose, shall vote therefor. The taxes collected for the purpose of erecting public buildings shall be designated "revenue for erecting public buildings," and shall be kept distinct from other revenues and used for the purpose designated in the submission of the question of increasing the rate, as aforesaid, to a vote of the people, any other provision in this Charter as to designation or application of the fund to the contrary notwithstanding.

The Municipal Assembly shall also be empowered to levy, assess and collect all taxes, of every description, on any or all of the subjects or objects of taxation which are authorized to

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be levied by the municipality under the constitution and laws of this State.

*SEC. 2.

SEC. 3. Enforcement of Taxes.—The payment of all taxes for the city shall be enforced in the same manner and under the same rules and regulations as may be provided by law for collecting and enforcing the payment of State taxes.

SEC. 4. Licenses, Wharfages and Other Dues.—The Assembly shall also provide by ordinance for the levy and collection of all other taxes, licenses, wharfages, and other dues of every description, and to fix the penalties for neglect or refusal to pay the same according to law and ordinance.

SEC. 5. Blank Licenses, Tickets, Etc., How Issued.—All blank licenses, tickets, receipts, permits, certificates or other blank forms which are intended to facilitate or simplify the collection of the revenue, shall be issued by the Register under the seal of the city, and delivered and charged to the Comptroller, who shall countersign and deliver them to the proper officers respectively and take duplicate receipts therefor, one of which shall be filed with the Auditor.

†SEC. 6. **Classification of Taxes.**—All taxes collected for municipal purposes, from all sources whatever, shall be designated "Municipal Revenue," and the taxes collected for the payment of the public debt shall be designated "Interest and Public Debt Revenue," and the latter shall always be kept distinct from other revenues and held sacred for the payment of interest and the valid indebtedness of the City of St. Louis existing on the seventh day of April, eighteen hundred and ninety, and the indebtedness of the city which may have been incurred thereafter or may be incurred hereafter, and the bonds issued in renewal thereof, and for no other purpose whatever.

SEC. 7. Payments Into City Treasury.—All collections of public money on account of the city shall be paid into the city treasury and triplicate receipts taken therefor, showing from what source the money is derived and the account to

* This section is omitted, having been repealed at the charter amendment election held on October 22, 1901.

† This section is an amendment to the Charter, adopted at the charter amendment election held on October 22, 1901.

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which it is placed, one of which shall be filed with the Auditor, and one with the Comptroller.

SEC. 8. Settlement of Fiscal Officers.—The settlement of all officers engaged in collection of the revenue, shall be adjusted by the Comptroller, and by him certified to the Auditor, at least monthly, and oftener if required by the Mayor, and all blanks not used shall be returned by the Comptroller to the Register for cancellation.

APPROPRIATIONS.

SEC. 9. Appropriations.—The appropriations of the Municipal Assembly for the payment of interest, for the payment of the public debt, for public improvements, and for the support of the city government during any one fiscal year, shall be in conformity with the requirements of the constitution of the State.

SEC. 10. Limitation of Appropriations.—No appropriation shall be made from any revenue fund in excess of the amount standing to the credit of such fund; nor shall it be made for the purposes to which the money therein is not applicable by law.

SEC. 11. Payments Out of City Treasury.—No money shall be paid out of the treasury except on the Auditor's warrant, and no warrant shall be issued on any appropriation, unless there is an unexpended balance to the credit thereof sufficient to cover such warrant, and money in the treasury to pay it.

SEC. 12. All Ordinances Authorizing Disbursements to Be Indorsed by Comptroller.—All ordinances that contemplate the payment of any money shall, upon their second reading, be referred to the appropriate committee who shall obtain the indorsement of the Comptroller thereon to the effect that sufficient unappropriated means stands to the credit of the fund therein named, to meet the requirements of said ordinance, or it shall not be lawful to recommend its passage, or pass the same: *Provided*, that no claim shall be paid without the approval of the Auditor.

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SEC. 13. Unadjusted Accounts, How Certified, Etc.—All unadjusted accounts, before they are audited, must be certified to by the officer having knowledge of the facts, and the Auditor and Comptroller may allow them, or in case of their disagreement, then by either of them and the Mayor; and all accounts thus allowed shall be paid as directed in this article. All audited accounts shall be registered in the Comptroller's office, and filed and preserved as vouchers in the Auditor's office.

SEC. 14. All Expenditures, Etc., Must Be by Ordinance.—No money shall be expended, nor shall any improvement be ordered involving an expenditure of money, except by ordinance, the provisions of which shall be specific and definite.

ASSESSMENT OF PROPERTY.

SEC. 15. Board of Assessors—Assembly to Establish Assessment Districts.—The City of St. Louis shall be assessed, in accordance with the general laws, by a Board of Assessors, consisting of a President of the Board, to be elected by the qualified voters of the city, and one Assessor from each assessment district, who shall be appointed by the Mayor, and confirmed by the Council and the Municipal Assembly shall lay off the city into convenient assessment districts, and shall have power to alter and change the same, as necessity or convenience may require.

SEC. 16. Official Bonds of Assessors.—The President of the Board, and each of the district assessors, before entering upon their official duties, shall give bond and security to the State, to the satisfaction of the Mayor, with three or more solvent securities, freeholders of the city, the said President in a sum not less than twenty thousand dollars, and the said district assessors, each, in a sum not less than two thousand dollars, the amount to be fixed by ordinance, conditioned for the faithful performance of the duties of their office, which bonds shall be executed in duplicate, one of which shall be forwarded to the State Auditor, and the other be deposited with the Register of the City of St. Louis.

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Duties of Assessors—Reports.—It shall be the duty of the district assessors to assess the property within the districts for which they were appointed, under the direction and superintendence of the President, in the manner provided by law. They shall commence their assessment on the first day of June* in each year, and complete the same, and make their final report to the President, on or before the first Monday in January following. Each report shall be verified by the affidavit thereto of the assessor making it, that he made the assessment contained in his report impartially and correctly to the best of his ability and judgment, and uninfluenced by fear of, or favor by, or toward any one.

†SEC. 17. **Qualifications of Assessors.**—The President of the Board of Assessors shall be of the age of at least thirty years, and have been a resident within the city for at least seven years next before his qualification; and each district assessor shall have been a resident within the city for at least five years next before his qualification, or competent for his duties from actual service as an assessor of real estate in the City of St. Louis for taxation.

SEC. 18. **Duties of the President of the Board of Assessors—Shall Be Accountable for All Plats, Books, Etc., Belonging to the Office—May Appoint Clerks and Deputies—Personal Attendance in Office Required.**—It shall be the duty of the President of the Board to superintend the work of the district assessors, and the assessment of the entire city, to see that they faithfully discharge their duty, and, as far as possible, make the assessment uniform and equal throughout the city. He shall take the entire charge of the Assessor's office, and all maps, plats, books, papers and furniture, etc., belonging to the said office. He shall be accountable for all such plats, and shall not permit any one of them, under any pretence whatever, to be removed from the office except those which may be required by the district assessors for the assessment of their allotted districts. He shall use all proper care and

* Act of March 24, 1881, Laws of 1881-2, p. 178.

† The provision originally contained in section 17, requiring the President of the Board of Assessors, and each District Assessor, to be a freeholder, was repealed by section 5259 of the Revised Statutes 1899 and is omitted.

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diligence to preserve all maps, plats, books and papers belonging to the office from injury, and shall hold the district assessors responsible for the return, in good condition, of all plats that may be furnished to them. He shall alter and correct the office plats, and all plats used by the district assessors, as required by law. He shall furnish the district assessors with all plats, blanks, stationery, instructions, and all information that may be needed by them for the proper assessment of their respective districts. He shall receive the return of property of those upon whom the district assessors have ordered notice, except in those cases where the district assessors make personal service, and shall administer the oath required by law. He may appoint one or more of the clerks in his office as deputies, and he or they shall be authorized to administer the oath. He shall furnish paper, blanks, and all necessary information to persons desiring to make appeal from the assessment of the district assessors. He shall, in person, be at his office every working day, during office hours, except when engaged in his duties as Assessor, or absent on leave, and shall furnish information on all matters pertaining to the assessment of property.

SEC. 19. Assessment Books, How Made Up.—When the district assessors shall have completed their assessments, said President of the Board shall make up the assessment books in proper alphabetical order, from the plats and returns made by said district assessors, from the return of property holders to the Assessor's office, and from the best information he can otherwise obtain, so that said assessment books shall be as nearly as possible a full and complete assessment of all taxable property in the city, the same to be completed on or before the third Monday in March of each year.

SEC. 20. Public Notice to Be Given of Completion of Books.—As soon as said books are completed, the President of the Board shall give one week's published notice in the daily newspapers,—one of which shall be printed in German,—that said books are open for inspection, and stating the time when the Board of Equalization will be in session.

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SEC. 21. Duty of Recorder of Deeds in Reference to Conveyances.—The Recorder of Deeds of the City of St. Louis is hereby required to deliver to the President of the Board of Assessors, from day to day, when required of him, and the day after the same shall have been recorded and compared, all deeds and other instruments in writing, filed in his office, by which any change of ownership is made in any of the real estate of the City of St. Louis, and the President of the Board shall, without unnecessary delay, make such changes upon the plats in his office as said deeds and other instruments may require, and forthwith return such deeds and other instruments to said Recorder.

*SEC. 22.

SEC. 23. Costs of Assessment, How Paid.—All the costs and expenses of the assessment shall be allowed and paid by the City of St. Louis, in the same manner as other demands against the city are allowed and paid, and when the aggregate for each year's assessment shall have been ascertained, the Auditor of St. Louis shall certify the same to the State Auditor, whose duty it shall be to draw his warrant in favor of the City of St. Louis for one-half of said assessment, as provided by law.

BOARD OF EQUALIZATION.

SEC. 24. Organization and Duties.—There shall be a Board of Equalization, consisting of the President of the Board of Assessors, who shall be President thereof, and four discreet and experienced real estate owners of the City of St. Louis, of a prior residence therein of ten years, who shall be appointed by the Judges of the Circuit Court of the Eighth Judicial Circuit, on the second Monday of March annually. The duty of said Board shall be to adjust correct and equalize the valuation of real estate and personal property in said city. It shall meet on the third Monday in March annually, and shall remain in session for four weeks, if business requires it, and no longer. Said Board shall hear and determine all appeals in a summary manner, shall adjust and correct the assessment

*This section is omitted, having been repealed at the charter amendment election held on October 22, 1901.

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books accordingly, shall determine as far as possible whether the property has been assessed at the true cash value, and in just proportion to the assessed value of the other property in the city similarly situated and to this end shall increase or diminish the assessment on any property, real or personal, or mixed. If they propose to increase the assessment in any case, they shall cause notice thereof to be served upon the owner, agent or representative thereof, if within the city, who shall have the right to be heard upon such proposed increase. The said Board shall have power to send for persons or papers, and to compel the attendance of witnesses, and to this end the Sheriff of the city shall execute such process as may be issued by it. The majority of said Board shall constitute a quorum, and a majority of those present shall determine all matters of appeal or revision, or correction of values. The compensation of the members of the Board shall be fixed by ordinance, but the President shall receive no compensation as such member. The members of such Board, before entering upon the duties of their office, shall take and subscribe an oath similar to that required of County Boards of Equalization.

SEC. 25. Record of Proceedings.—Said Board shall keep a complete record of all its proceedings, and deliver the same to the said President to be kept as a record in his office.

SEC. 26. Abstract of Corrected Assessments to Be Sent to Mayor and State Auditor—State, School and City Tax Bills, How Prepared—Duty of Comptroller in Reference to Tax Bills and Assessment Books.—After the assessment books have been corrected, the President of the Board shall make out a fair copy of the same, and shall make an abstract of said books, showing the amount of the several kinds of property assessed, and specifying the amount of value of all property within the present boundary line of the city, the amount of value of all property in the extended limits, and the aggregate valuation of all property within the city limits as established by this Charter, and add thereto his certificate that the same contains a true and correct list of all taxable property of the City of St. Louis so far as he has been able to ascertain the same. One copy of the abstract, verified by his

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oath, shall be delivered on or before the fourth Monday in May to the Mayor of St. Louis, and another copy to the State Auditor. He shall add upon the assessment books the State and school taxes required by law to be levied, and also add in accordance with a certified copy of an ordinance from the Municipal Assembly, all municipal taxes set forth in said ordinance, and shall then cause to be made out tax bills against the persons assessed, setting forth in said bills the name of the person, the description of the property, and the several taxes thereon, the name of the owner, lessee or agent of the property assessed, and their number or place of residence or business, and such other information as may facilitate the collection of such tax bills. He shall deliver said bills, with an abstract of the same and with a copy of the assessment books, to the Comptroller, who shall compare said bills with the abstract, test the footings thereof, and then shall officially stamp said bills and deliver the same with the abstract to the Collector and take his separate receipts therefor, First, for the aggregate of said bills; Second, for the amount of the State taxes; which last receipt the said Comptroller shall transmit to the State Auditor.

***SEC. 27. Percentage of Taxes Fixed by Ordinance.**—On or before the fourth Monday in May in each year, the Municipal Assembly shall cause to be delivered to the President of the Board of Assessors a certified ordinance establishing the percentage of taxes for the current year, and failing so to do the rates last previously established shall be the percentage of taxes for the current year.

***SEC. 28. Comptroller to Correct Manifest Errors in Assessments.**—The City Comptroller is authorized and empowered to hear and determine all allegations of manifest errors in the assessment of lands and personal property for taxes, and in all cases when it shall appear that lands or personal property have been erroneously taxed, the said Comptroller shall cause the same to be corrected on the assessment books,

* This section is an amendment to the Charter, adopted at the charter amendment election held on October 22, 1901.

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and shall certify to the State Auditor all such corrections to be credited to the Collector.

SEC. 29. Authority of Comptroller as to Delinquent Taxes, Etc.—And the said Comptroller is further authorized and empowered to discharge all the duties, and perform all the acts within the city limits, in regard to the "land delinquent list," the "sale of land for taxes," and all other matters relating to the assessment books and tax-bills, that are imposed on the County Court in the General Law.

COLLECTION OF TAXES.

SEC. 30. Bond of City Collector.—The Collector of the City of St. Louis, before entering upon the discharge of the duties of his office, shall give bond and security to the State, to the satisfaction of the Mayor, in a sum provided by law and ordinance, conditioned that he will faithfully and punctually collect and pay over all State, school, municipal and other revenues, during the time he shall be in office, and that he will in all things faithfully perform all the duties of the office of Collector according to law. The official bond required in this section shall be signed by at least five solvent securities, freeholders within the city, and be executed in duplicate, one of which shall be deposited with the Register, and the other transmitted by the Register to the State Auditor, who shall carefully examine the same, and if it appears to his satisfaction that the bond is insufficient, he and the Mayor shall require such Collector to give additional bond, and if he fail to give such additional bond within ten days after he shall have been notified, his office shall be declared vacant. Said bond, when approved and recorded, shall be a lien against the real estate of such Collector until he shall have complied with the conditions thereof. If the Collector shall neglect or refuse to give such bond for fifteen days after his election, his office shall be declared vacant, and an election shall be ordered to fill the vacancy.*

SEC. 31. Collector to Collect All Revenues Except Water Rates.—The Collector shall collect all revenues derived

* Collector's bond.—Provisions of State law, R. S. Mo. 1899, section 9206.

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from all other sources, which may be levied by law or ordinance within the City of St. Louis, except water rates, and keep a detailed account of all his collections, from all the different sources of revenue and taxation, respectively. All collections made belonging to the city shall be paid into the city treasury daily, and triplicate receipts taken therefor, showing from what the money proceeds, and the account to which it is placed, one of which shall be filed with the Auditor, and one with the Comptroller.*

SEC. 32. Rebate on Tax Bills.—On all tax bills for real and personal property, on the assessment books, which shall be paid to the Collector, on or before the first day of October in each year, allowance or rebate shall be made on the city taxes on said bill, to the person or persons making such payments, at the rate of eight per centum per annum from the date of such payment to the 31st of December following, and the amount of such allowance or rebate shall be credited to the account of the Collector, and charged to the respective revenue accounts.

SEC. 33. Authority of Collector to Appoint Deputies.—The Collector may appoint deputies, by an instrument in writing, duly signed, and may also revoke any such appointment at pleasure, and may require bonds or other securities, from such deputies to secure himself; and each such deputy shall have like authority in every respect to collect the taxes levied or assessed within the city or any part thereof which by law is vested in the Collector himself; but the Collector shall, in every respect, be responsible to the State, city, individuals, companies and corporations, as the case may be, for all moneys collected, and for every act done by any of his deputies whilst acting as such, and for any omission of duty by such deputy. Any bond or security taken from a deputy by the Collector shall be available to such Collector, his representatives and securities, to indemnify them for any loss or damage arising from any act of such deputy.

* Under the Act of March 17, 1893, (Laws 1893, p. 149), the Excise Commissioner has exclusive authority to issue dramshop license. Under Act of General Assembly (Laws of 1901, pp. 80-82), the license tax is to be collected by the License Collector; thus repealing this Section, and also Section 24 of Article IV., in so far as they impose the duty and confer the power in this respect upon the Collector.

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SEC. 33 (34). **City Collector to Perform All Duties Discharged by County Collector.**—The said Collector is authorized, empowered and directed to discharge all the duties and perform all the acts in relation to the collection of the revenue, within the city limits, that the County Collector is now required and authorized by law to do.

ARTICLE VI.

PUBLIC IMPROVEMENTS—CONDEMNATION PROCEEDINGS—
STREET OPENINGS—CONSTRUCTION OF STREETS,
BOULEVARDS, ALLEYS, ETC., AND SEWERS—SPECIAL
TAXATION—CONTRACTS FOR PUBLIC WORK—STREET
SPRINKLING.

SECTION

1. Streets to be established—lots etc., to conform to established streets—map or plat of new blocks, lots, etc., to bear certificate of responsible surveyor, to be approved by B. P. I. and refer to established landmark, otherwise cannot be recorded—dedication to public use of streets, alleys and public places—limitations respecting heavy hauling and business traffic allowed on certain conditions—private places—boulevards may be established on stated conditions, or discontinued.

CONDEMNATION PROCEEDINGS.

2. Form of petition—commissioners to assess damages—parties defendant.
3. Notice to defendants—process to be served by city marshal—notice by publication.
4. Court shall appoint three freeholders as commissioners, to assess damages; qualifications—majority may act and report.
5. Duty of commissioners as to damages and benefits—assessments of benefits to be a lien against property—opening of alleys.
6. Commissioners' report to be under oath—damages and benefits to be separately stated.
7. Report may be reviewed on exceptions—court may order new appraisement, etc.
8. Cost of proceedings—commissioners each allowed \$3.00 a day.
9. Report of commissioners to be submitted to assembly—report stands approved if no action taken within time limited—on disapproval of report, court shall set same aside and order new assessment—withdrawal of proceedings by city, conditions.
10. Final action of court to be reported to comptroller, who shall furnish copy to assembly—appropriation to pay damages; failure to appropri-

SECTION

ate to operate as a bar for ten years.

11. City may deduct benefits from damages, and shall pay excess or deposit in court—interest disallowed, when—when title of property in dispute damages paid into court—improvement may proceed.
12. Condemnation of property for particular uses.

WATER AND GAS PIPE CONNECTIONS.

13. Board of public improvements to regulate.

CONSTRUCTION OF STREETS, BOULEVARDS AND ALLEYS.

14. Ordinances for improvement of streets, etc., to originate with B. P. I.—board to designate day for public meeting to consider improvements—notice, contents and time of publication—remonstrance against improvement, time of filing, etc., and action of board thereon—two-thirds vote will overrule—board to prepare and report to assembly ordinance, with reasons, in event of remonstrance—majority vote of board sufficient in absence of remonstrance—board may provide in improvement ordinance that work and material be guaranteed and kept in repair for a term of years—special taxes to be levied and assessed according to frontage and area, apportionment—benefit districts for special taxation established, method—special taxes for the construction of sidewalks apportioned by front foot rule—terms "reconstructing" and "repaving" construed—partial improvements by reconstructing and repaving permitted—contracts for improvement of sidewalks considered distinct from those of streets, etc. Culverts and partial grading of streets—special taxation for improvement of alleys—word "lot" defined.

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SECTION

15. Improvement ordinance, requisites—may specify term of years for which work shall be maintained—estimate of cost to be endorsed—streets, etc., to be established or dedicated prior to improvement.
16. Vote of assembly on improvement bills.
17. All ordinances for public work to be recommended by the board of public improvements.
18. Apportionment of cost of improvements—portion paid by the city and property owners respectively—no limit to special taxation.
19. Nuisances caused by public works to be abated by city—damages by change of grade to be paid by city.

SEWERS.

20. Classification of sewer system—"public," "district," "joint district" and "private."
21. District sewers, establishment and construction—districts may be changed—special taxation for, authorized—repairs and incidental expenses paid by city—reconstruction of sewers permitted at expense of property.
22. Joint district sewers, how established—special taxation for, authorized; how levied and assessed. When territory outside of city limits is drained, city to pay portion of cost of construction—joint district sewers may be constructed in sections.
23. Private sewers—city to be at no expense for same—sewers and drains deemed private—may be acquired by city—special taxation therefor authorized—connections with other sewers, compensation for, at option of city.

SPECIAL TAX BILLS.

24. Special tax bills—how made out, registered and delivered—place of payment to be designated.

SECTION

25. Special tax bills to be a lien on property—collected in name of contractor—interest—city marshal to serve notice—action for false return—suit by attachment against non-resident—certified tax bill prima facie evidence—defenses—city not to be liable on special tax bills—certain tax bills shall be divided into parts and may be paid in installments—interest—effect of non-payment of interest or installments when due—limitation of lien of special tax bills—entry of satisfaction.
26. Special tax bills may be assigned—formality required—payment.

CONTRACTS FOR PUBLIC WORK.

27. Assembly forbidden to contract for public work—B. P. I. to submit ordinance for proposed work—advertisement for bids, requisites—contract to be let to "lowest responsible bidder"—one having failed to carry out prior contract with city deemed not responsible—bids may be rejected—certified check to accompany all bids—sureties on contractor's bond.
28. Improvement ordinances to contain specific appropriations—work may be done in parts, but ordinance to provide for the whole and appropriations shall be made for each part—contract provisions—suspension of work on complaint—B. P. I. to examine and report—costs.

STREET SPRINKLING.

29. Street sprinkling authorized by ordinance—special tax bills therefor issued in favor of city—contracts made annually by B. P. I.—sprinkling districts—date of special tax lien—interest—cost of sprinkling paid out of city treasury and city reimbursed by special tax bills.

***SECTION 1. Streets to Be Established—Lots, Etc., to Conform to Established Streets—Map or Plat of New Blocks, Lots, Etc., to Bear Certificate of Responsible Surveyor, Be Approved by B. P. I. and Refer to Established Landmark, Otherwise Cannot Be Recorded—Dedication to Public Use of Streets, Alleys and Public Places.—The**

*This section is an amendment to the Charter, adopted at the charter amendment election held on October 22, 1901.

PUBLIC IMPROVEMENTS—STREET OPENINGS.

Municipal Assembly shall, by ordinances recommended by the Board of Public Improvements, establish from time to time such streets as may be necessary to provide public thoroughfares for free and convenient traffic and communication between different parts of the city, and after such establishment, by ordinance, and after proceedings for the opening of such streets have been commenced, owners of property desiring to sub-divide into blocks, lots, or sub-lots, shall conform their sub-divisions to such established streets. In all cases when any lands within the city are hereafter sub-divided or laid out in blocks, lots, or sub-lots, the map or plat thereof shall bear the certificate of a responsible surveyor, to the effect that the streets thereon represented are correctly shown and located, and they shall be designated as streets, if they have been or are dedicated or opened according to law, or as proposed streets if such opening is incomplete. Said map or plat shall be submitted to the Board of Public Improvements for its approval. No such map or plat, or deed or instrument containing such map or plat shall be recorded in the Recorder's office of the City of St. Louis, or have any validity, until the approval of said board is endorsed thereon, and all such maps, plats or deeds dividing or sub-dividing any block, lot or sub-lot, shall specifically state the initial point of survey, which shall bear a designated relation to some known landmark or United States survey, and from which all measurements shall be made. It shall be the duty of the Recorder of Deeds to enforce this section before any person shall be permitted to record any such map, plat or deed. The city shall not be liable for damages for the taking of any building or improvement erected or made on a proposed street or alley after the map or plat showing same is recorded. The Board of Public Improvements shall have authority to approve maps or plats of sub-divisions which fully dedicate to public use streets, alleys and public places and which are made as hereinbefore required.

Limitations as to Heavy Hauling and Business Traffic—Conditions.—The board shall also have authority to approve dedications of streets containing a limitation that heavy hauling and business traffic shall be excluded therefrom, in which

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case the entire cost of grading, improving, maintaining, repairing, cleaning and sprinkling of such streets shall be borne by and be assessable against the property fronting or bordering thereon, and the approval of said board shall so recite; but said board shall require, in both cases last above enumerated, that all such streets and alleys be made safely passable before the map or plat making such sub-division and dedication shall be approved, recorded or accepted.

Private Places.—No map or plat embracing a private place shall be approved unless it conveys to the city the right to place, construct and maintain in such private place, sewers, sewer inlets, water mains, gas mains, underground conduits for electric wires, fire plugs, lamp posts and other conveniences for the public service and use of the city.

Boulevards, Conditions for the Establishment.—The Municipal Assembly may, by ordinance recommended by the Board of Public Improvements, establish and open boulevards, or change existing streets into boulevards, and fix the width thereof, and the manner of laying out and improving the same; and may regulate the traffic thereon, and may exclude heavy driving thereon or any kind of vehicle therefrom, and may exclude and prohibit the erection or establishment or maintenance of any business house, or the carrying on of any business vocation on the property fronting on such boulevard, and may establish a building line to which all buildings, fences, or other structures thereon shall conform. And may provide for grading, improving, constructing, reconstructing, maintaining, cleaning, sprinkling, the planting of trees, shrubbery and other things of that description and nature thereon, and the entire cost connected with all of said work on such boulevards shall be levied, assessed and collected as a special tax on the property fronting or bordering on such boulevard in the proportion that the linear feet of each lot fronting or bordering on the boulevard bears to the total number of linear feet of all property fronting or bordering on the same, and the work of maintaining, repairing, cleaning and sprinkling may be contracted for annually, or for a term of years not exceeding ten, by the Board of Public Improvements of the city at such time, and under such terms and

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conditions as shall be provided by ordinance, to be recommended by said board, and special tax bills for all work shall be made out in the name of the contractor and delivered to him, and his receipt taken for all claims against the city in the same manner as provided by this Charter for other special tax bills, for doing public work: *provided*, that the special tax bills for maintaining, repairing, cleaning and sprinkling shall be levied and assessed annually. All such special tax bills shall be *prima facie* evidence of the liability of the property charged therewith to the extent and amount therein specified. The Municipal Assembly shall not grant any franchise for the occupancy or use of such boulevard or any part thereof, except with the consent, in writing, of the owners of two-thirds in frontage of the property fronting or bordering thereon; provided, however, that for the establishment and opening of such boulevards, the procedure set out in this article in reference to opening streets shall be pursued, except that the benefit district to be established by the commissioners shall be limited to the property fronting or bordering on such boulevard, and except that adequate compensation shall be allowed the owners of property fronting or bordering thereon, for damages occasioned by the establishment of a building line on such boulevard, and by limiting the use to which such property may be put by the owners thereof.

Discontinuance of Boulevards.—The Municipal Assembly may at any time repeal any ordinance establishing or opening a boulevard, or changing an existing street into a boulevard, and thereupon such boulevard shall be and become a street in all respects like other streets of the city and the property abutting thereon shall be relieved from the restrictions imposed by such ordinance; *provided, however*, that such an ordinance shall not be repealed without the consent in writing of the owners of at least two-thirds in frontage of all the property fronting on such boulevard, nor unless such repeal shall be recommended by the Board of Public Improvements; and, provided further, that the procedure provided in this article for the establishing and opening of boulevards shall be pursued for the ascertainment and payment of damages and

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benefits resulting from such repeal; except that no compensation shall be allowed or paid to any person consenting to the repeal of such an ordinance.

***SEC. 2. Form of Petition—Commissioners to Assess Damages—Parties Defendant.**—Whenever the Assembly shall provide, by ordinance, for establishing, opening, widening or altering any street, avenue, alley, wharf, market place or public square, or route for a sewer, water course or water pipe, or for other public improvements, on recommendation of the Board of Public Improvements, and it becomes necessary for that purpose to appropriate private property, the City Counselor, in the name of the City of St. Louis, shall apply to the Circuit Court of the Eighth Judicial Circuit, or to any one of the judges in vacation, by petition setting forth the general nature of the improvement proposed to be made, the names of the owners of the several lots or parcels of land, if known, or if unknown, a correct description of the parcels whose owners are unknown, and praying the appointment of three disinterested commissioners, freeholders of property in said city, to assess the damages which said owners may severally sustain by reason of the appropriation and condemnation of such real estate by the city, for any of the purposes aforesaid, to which petition the owners of such lots or parcels of land embraced in the proposed improvement shall be made parties defendant by name, if the names are known, and by description of the land of unknown owners. If the proceedings seek to affect the lands of persons under guardianship, the guardians must be made parties defendant; if the lands of married women, their husbands must be made parties defendant. If the possessor of land to be affected has an estate less than a fee, the person having the next vested estate in remainder or reversion must, if known, be made a party defendant. It shall not be necessary to make any persons parties defendant in respect to their ownership, unless they are in actual possession of the premises to be affected, or have a title to the premises appearing of record upon the proper records of the city.

* This section is an amendment to the Charter, adopted at the charter amendment election held on October 22, 1901.

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SEC. 3. Notice to Defendants—Process to Be Served by City Marshal—Notice by Publication.—Upon the filing of the petition, a summons shall be issued, giving such defendants at least ten days' notice of the time when said petition will be heard, which summons shall be served by the Marshal—who shall, for such purpose, be *ex-officio* an officer of the Circuit Court—in the name and manner as writs of summons are, or may be, by law required to be served. If the name or residence of the owner be unknown, or if the owners, or any of them, do not reside within the State, notice of the time of the hearing the petition, reciting the substance of the petition, and the day fixed for the hearing thereof, shall be given by publication for four weeks, consecutively, prior to the time of the hearing the petition, in the newspapers publishing the journal of the Assembly.

***SEC. 4. Court Shall Appoint Three Freeholders as Commissioners, to Assess Damages; Qualifications—Majority May Act and Report.**—The court, or a judge thereof, in vacation, on being satisfied that due notice of the pending of the petition has been given, shall appoint three disinterested commissioners, freeholders of property in said city, and residents of the city for five years next preceding their appointment, to assess the damages which the owners of the land may severally sustain by reason of such appropriation. *Provided, however,* that a majority of said commissioners shall have full power and authority to act and make a report.

***SEC. 5. Duty of Commissioners as to Damages and Benefits—Assessment of Benefits to Be a Lien Against Property—Opening of Alleys.**—It shall be the duty of the commissioners to ascertain the actual value of the land and premises proposed to be taken, without reference to the projected improvement, and to ascertain the actual damages done to the property thereby, and for the payment of such values and damages to assess against the city the amount of benefit to the public generally, and the balance against the owner or owners of all property which shall be especially benefited by

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the proposed improvement in the opinion of the commissioners, to the amount that each lot of said owner shall be benefited by the improvement. The sums to be paid by the owners of property especially benefited by the improvement, as ascertained by the commissioners, shall, when the report of the commissioners shall be confirmed by the court, as hereinafter provided, be *prima facie* evidence of the liability of the property charged therewith to the extent and amount therein specified, and shall be and remain until paid, a lien from the date of the final judgment of the Circuit Court on the property so charged, and shall be collected as provided by ordinance, and when collected shall be paid into the city treasury as a separate fund to be used exclusively for the payment of the damages awarded; *provided; however,* that in the opening of an alley the benefits shall be paid by the owners of such lots in the block in which the alley is opened as are afforded access by such alley.

SEC. 6. Commissioners' Report to Be Under Oath—Damages and Benefits to Be Separately Stated.—When the Commissioners shall have viewed the property, and assessed the value and damages and benefits, they shall make their return of such assessment, in writing and under oath, to the Circuit Court, which shall be filed by the clerk thereof. In making such report, the value and damages allowed to each owner, and the benefits assessed against each individual shall be separately stated.

SEC. 7. Report May Be Reviewed on Exceptions—Court May Order New Appraisement, Etc.—The report of said Commissioners may be reviewed by the Circuit Court on written exceptions filed by either party, in the Clerk's office, within ten days after the filing of such report, and the Court shall make such order therein as right and justice may require, and may order a new appraisement upon good cause shown; but the hearing of such exceptions shall be summary, and the Court shall fix a day therefor without delay, upon the filing of any such exceptions, or within ten days after the expiration of the time given said city to report the same to the Assembly as hereinafter provided.

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***SEC. 8. Costs of Proceedings—Commissioners Each Allowed \$3 a Day.**—The cost of the proceedings, up to and including the filing of the report of the commissioners, shall be paid by the city, and as to any costs caused by subsequent litigation, the cost shall be paid by the losing party. The commissioners shall each be allowed three dollars a day in full compensation for their services.

***SEC. 9. Report of Commissioners to Be Submitted to Assembly—Report Stands Approved if No Action Taken Within Time Limited—On Disapproval of Report, Court Shall Set Aside Same and Order New Assessment—Withdrawal of Proceedings by City, Conditions.**—Upon the report of said Commissioners being filed in the Circuit Court, or with the Clerk thereof, the Court shall give to the City of St. Louis, upon application of the City Counselor, reasonable time to report the result of the same to the Assembly for its information and approval, during which time no action will be had in or by said Court upon said report; and if the Municipal Assembly fails to act upon such report within the time limited, said report shall be deemed approved, but if during said time limited the Municipal Assembly disapprove said report of said Commissioners, the said Court shall set aside said report and order a new assessment of damages and benefits, and the City of St. Louis shall have the right, at any time before the final confirmation to said report, to dismiss and withdraw said proceedings on payment of the costs thereof. Should the city dismiss or withdraw any proceedings for condemnation after the report of the Commissioners has been filed, no action for such condemnation shall be had for a period of ten years next thereafter, unless upon the petition of the owners of three-quarters of the property fronting on the line of the proposed improvements, or upon payment, by the city, of the entire value and damages, such as aforesaid.

SEC. 10. Final Action of Court to Be Reported to Comptroller, Who Shall Furnish Copy to Assembly—Appropriation to Pay Damages—Failure to appropriate to Operate as a Bar for Ten Years.—When the report of the Commis-

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sioners shall have been approved, or final action taken thereon by the Court, the Clerk of the Circuit Court shall make a certified copy of the report, and the final action of the Court thereon, and deliver the same to the City Comptroller, who shall forthwith record the same in a book, to be provided for that purpose. It shall be the duty of the Comptroller, as soon as the same is recorded, to furnish a copy thereof to the Assembly, and the Assembly shall, at its first session thereafter, make an appropriation for the payment, out of the city treasury, of all damages assessed in favor of the owners of property appropriated, and the City Treasurer shall cause the same to be paid to the parties entitled thereto, respectively, or into court for their use, as provided by ordinance. Any failure of the Assembly, within the time above stated, to make such appropriation, shall operate as a dismissal of such proceedings, and no future action for such condemnation shall be commenced for a period of ten years, except as hereinbefore provided in case of a dismissal by the city.

***SEC. 11. City May Deduct Benefits from Damages, and Shall Pay Excess, or Deposit in Court—Interest Disallowed, When—When Title of Property in Dispute, Damages Paid Into Court—Improvement May Proceed.**—In all cases arising under this article, the city may deduct the benefits assessed against property owned by any person, or his assigns, from the damages allowed to such person, or his assigns, for the taking or damaging of any property owned by him or his assigns, and shall pay to him or his assigns, or into the court for his or their benefit, or recover from him or them the difference between the damages and the benefits, as the case may be, and in no case shall the city be liable for interest on any award for damages after the same or the excess of the damages over the benefits shall have been paid into court as aforesaid; *provided, however*, that if the ownership of property condemned be in controversy, the amount of the damage assessed for said property, less the benefits deducted as aforesaid, shall be paid into the court for the use of the successful claimant of the property: and provided, further, that after

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such payment to such party or parties, or into court for their benefit, the city may take possession of the property condemned and the improvement may be proceeded with.

SEC. 12. Condemnation of Property for Particular Use.

—When it becomes necessary for the city to condemn private property for other and different public uses than those already specified in this article, the Assembly shall pass an ordinance to that effect, which shall set forth the purposes for which said property is required, and to which it shall be especially dedicated. The value and damages of said property shall be ascertained in the same manner as directed in this article in the case of opening streets, and the same shall be paid by the city to the owner or owners of said property.

WATER AND GAS PIPE CONNECTIONS.

SEC. 13. Board of Public Improvements to Regulate.—

The Assembly shall provide, by ordinance, that all connections with water or gas pipes shall be made subject to such regulations as the Board of Public Improvements may, from time to time, establish, and that before any such connections are made a permit shall be procured from said board.

CONSTRUCTION OF STREETS, BOULEVARDS AND ALLEYS.

***SEC. 14. Ordinances for Improvement of Streets, Etc., to Originate with B. P. I.—Board to Designate Day for Public Meeting to Consider Improvements—Notice, Contents and Time of Publication—Remonstrance Against Improvement, Time of Filing, Etc., and Action of Board Thereon—Two-thirds Vote Will Overrule—Board to Prepare and Report to Assembly, Ordinance, With Reasons, in Event of Remonstrance—Majority Vote of Board Sufficient in Absence of Remonstrance.**—No ordinance for the construction or reconstruction of any street, avenue, boulevard, alley or public highway of the city, shall be passed unless recommended by the Board of Public Improvements, as hereinafter provided. The Board shall designate a day on which

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they will hold a public meeting to consider the improvement of any designated streets, avenues, boulevards, alleys or public highways by grading or regrading, by constructing or reconstructing, by paving or repaving the roadway, including cross-walks and intersections, and shall give two weeks' public notice, in the papers doing the city printing, of the time, place and matter to be considered, stating in such notice the kind of material and manner of construction proposed to be used for the wearing surface of such improvement, naming more than one kind of material or manner of construction, if the Board deems it advisable so to do, and also the class of specification and plan for such work, which specification and plan shall be approved by said Board, and filed in its office. If within fifteen days after such public meeting, the owners of the major part of the area of the land made taxable by this article for such improvement, shall file in the office of the Board of Public Improvements their written remonstrance against the proposed improvement, or against the material or manner thereof, the Board shall consider such remonstrance, and if said Board shall, by a two-thirds vote, at a regular meeting, approve of the improvement, material or manner remonstrated against, they shall cause an ordinance for the same to be prepared and report the same with the reasons for their action and the remonstrance to the Assembly. If such majority fail to remonstrate within fifteen days or shall petition the Board for the improvement, said Board may by a majority vote approve the same, and shall cause an ordinance to be prepared and reported to the Assembly therefor.

Board May Provide That Work be Guaranteed and Kept in Repair for Term of Years.—In all cases the Board may include in such ordinance a provision that the work and material must be guaranteed and kept in repair by the contractor doing the work for a term of years to be specified in such ordinance.

Special Taxes to be Levied and Assessed According to Frontage and Area, Apportionment.—Special taxes for the improvements of streets, avenues and public highways shall be levied and assessed as follows: The total cost of grading and preparing the roadbed for the superstructure, placing

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foundation, curbing, guttering, roadway paving and crosswalks for the street embraced in the improvement, including all intersections of streets and alleys, shall be ascertained, and one-fourth thereof shall be levied and assessed upon all the property fronting upon or adjoining the improvement, in the proportion that the frontage of each lot so fronting or adjoining bears to the total aggregate of frontage of all lots or parcels of ground fronting upon or adjoining the improvement, and the remaining three-fourths of the cost so ascertained shall be levied and assessed as a special tax upon all the property in the district to be defined and bounded as hereinafter provided, in the proportion that the area of each lot or parcel of ground or the part of such parcel of ground lying within the district bears to the total area of the district, exclusive of streets and alleys.

Benefit Districts for Special Taxation Established, Method.—The districts herein referred to shall be established as follows: A line shall be drawn midway between the street to be improved and the next parallel or converging street on each side of the street to be improved, which line shall be the boundary of the district. except as hereinafter provided, namely: If the property adjoining the street to be improved is divided into lots, the district line shall be so drawn as to include the entire depth of all lots fronting on the street to be improved. If the line drawn midway as above described would divide any lot lengthwise or approximately lengthwise, and the average distance from the midway line so drawn to the nearer boundary line of the lot is less than twenty-five feet, the district line shall in such case diverge to and follow the said nearer boundary line. If there is no parallel or converging street on either side of the street to be improved, the district lines shall be drawn three hundred feet from and parallel to the street to be improved; but if there be a parallel or converging street on one side of the street to be improved to fix and locate the district line, then the district line on the other side shall be drawn parallel to the street to be improved and at the average distance of the opposite district line so fixed and located. Provided that if any property in a district

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established as herein provided is not liable to special assessment, the city shall pay the proportion of cost of the improvement which would have been assessed against such property. All of the property in the lots, blocks or tracts of land lying between the streets to be improved and the district lines established as above specified, shall constitute the district aforesaid.

Special Taxes for Construction of Sidewalks, Apportioned by Front Foot Rule.—The cost of construction of all sidewalks shall be apportioned as follows: The grading of all sidewalks, and the total cost of construction or reconstruction, paving or repaving, including the cost of preparing the ground for the superstructure, placing foundation and the wearing surface of all sidewalks and necessary intersections, shall be levied and assessed as a special tax upon each lot or parcel of ground abutting the sidewalk so constructed, reconstructed, paved or repaved in the proportion that the front feet of each lot or parcel of ground so abutting such sidewalk bears to the total linear feet of all the property abutting the improvement, and shall be collected as hereinafter provided.

Terms "Reconstruction" and "Repaving" Construed—Partial Improvements by Reconstruction and Repaving Permitted—Contracts for Improvement of Sidewalks Considered Distinct from Those of Streets, Etc.—Culverts and Partial Grading of Streets.—The term(s) "reconstructing" and "repaving" as herein employed, shall be construed to give full power and authority to reconstruct or repave by removing the foundation, curbing, guttering and wearing surface of the roadway paving, or only such portion of any or all thereof as the ordinance may prescribe, and thereafter from time to time, such street may be additionally improved if so ordered, by ordinance, and the cost of the additional improvement assessed as a special tax in like manner and to the same effect as the original improvement; and *provided, further*, that the roadway of streets, avenues, boulevards or public highways may be improved as herein provided, irrespective of sidewalks and the contracts therefor shall be deemed separate and independent of the contracts for the improvement of side-

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walks. *Provided*, that nothing in this section shall be construed to prevent the city from constructing culverts and partially grading streets, to make them passable in advance of their improvement, at the expense of general revenue, or by the labor of prisoners in the workhouse.

Special Taxation for Improvement of Alleys.—The total cost of grading, regrading, preparing the roadway for all the superstructure, placing foundation and roadway paving of all alleys, shall be levied and assessed as a special tax upon all lots in the block in which the alley is located in the proportion that the area of each lot in such block afforded access by such alley bears to the total area of all the lots in such block so afforded access, and shall be collected as hereinafter provided.

“Lot” Defined.—The word “lot” as used in this section, shall be held to mean the lots as shown by recorded plats of additions or sub-divisions but if there be no such recorded plat, or if the owners of property have disregarded the lines of lots as platted, and have treated two or more lots or fractions thereof as one lot, then the whole parcel of ground, or lots so treated as one, shall be regarded as a lot for the purposes hereof.

***SEC. 15. Improvement Ordinance, Requisites—May Specify Term of Years for Which Work Shall be Maintained—Estimate of Cost to be Endorsed—Street, Etc., to be Established or Dedicated Prior to Improvement.**—All ordinances recommended by said Board shall specify the character of the work its extent, the material to be used, the manner and general regulations under which it shall be executed, the fund out of which it shall be paid for, and may specify a term of years for which the work shall be maintained by the contractor, and shall be endorsed with the estimate of the cost thereof; *provided*, that no improvement or repairs shall be ordered upon any future street, alley or highway which shall not have been opened, dedicated or established according to the provisions of this charter and law.

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SEC. 16. Vote of Assembly on Improvement Bills.—Upon the recommendation of any ordinance by the Board of Public Improvements, the Assembly shall have the power, when such ordinance shall be accompanied by a remonstrance as hereinbefore provided, by a vote of two-thirds of the members elect of each house, and in all other cases by a vote of a majority of the members-elect of each house, to pass such ordinance, and order the making of such improvement.

***SEC. 17. All Ordinances for Public Work to be Recommended by the Board of Public Improvements.**—The Board of Public Improvements shall recommend to the Assembly all ordinances for the establishment or change of grade of streets, avenues, boulevards, public highways and alleys, and also for the construction or reconstruction of streets, avenues, boulevards and public highways, and for the maintenance, repairing, lighting, cleaning and sprinkling thereof; for the construction or reconstruction, maintenance, repairing, lighting and cleaning of alleys; for the construction or reconstruction, maintenance and repairing of sidewalks, for the construction or reconstruction and the repairs of sewers, and all ordinances for the doing of all other public work of every nature and kind which is required by this Charter, or by ordinance, to be done under the supervision of said Board, or of any of the members thereof.

***SEC. 18. Apportionment of Cost of Improvement—Portion Paid by the City and Property Owners Respectively—No Limit to Special Taxation.**—The cost of construction or reconstruction of all the foregoing improvements within the city shall be apportioned as follows: The regrading of streets and sidewalks to conform to the change of grade thereof, the lighting of boulevards, alleys streets, avenues and public highways, and the repairs of streets, avenues and public highways, shall be paid out of the general revenue of the city. The grading, improving, constructing, reconstructing, maintaining, repairing, cleaning and sprinkling of all boulevards shall be paid by special tax bill as in this article herein-

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before provided; the grading, regrading, preparing the roadway for the superstructure, placing foundation and roadway paving of all alleys, shall be paid by special tax bill as hereinbefore in this article provided; the construction, reconstruction, paving or repaving, including the cost of preparing the ground for the superstructure, placing foundations, and the wearing surface of all sidewalks, shall be paid by special tax bills as hereinbefore in this article provided; the grading, preparing of the roadbed for superstructure, placing foundations, curbing, guttering, wearing surface of the roadway paving, cross-walks, including all intersections of streets, avenues, highways and alleys, shall be paid by special tax bill in the manner hereinbefore in this article provided. The repairs of all alleys and sidewalks shall be charged upon the adjoining property as a special tax, and shall be collected and paid as hereinafter provided.

NUISANCES—CHANGE OF GRADE.

SEC. 19. Nuisances Caused by Public Works to be Abated by City—Damages by Change of Grade to be Paid by City.—Whenever a nuisance is caused upon private property by any work or improvement done by and for the city, the same shall be abated at the expense of the city; and whenever a grade of the street is fixed by the city and an improvement shall have been made in conformity thereto, if the city shall thereafter alter such grade to the damage of such improvement, the city shall indemnify the owner of the improvement for such damage.

SEWERS.

***SEC. 20. Classification of Sewer System—"Public," "District," "Joint-District" and "Private."**—A sewer system is hereby established, which shall be divided into four classes, viz.: "Public," "District," "Joint-District," and "Private" sewers; the classes in any case being determined by the authority of its construction, and the definitions hereinafter

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specified, irrespective of the area drained, the size, character or purpose of the sewer.

Public Sewers are Defined to be those heretofore constructed or acquired under authority of an ordinance, and paid for wholly out of the general revenue. Public sewers hereafter constructed shall be such sewers as the Board of Public Improvements may deem it expedient to establish and construct without creating a sewer district or joint sewer district; and such sewers may be established and constructed at such times, to such extent, of such dimensions and materials and under such regulations as may be provided by ordinance recommended by the Board of Public Improvements, and shall also consist of such branches to sewers already constructed as may be considered expedient by said board; *provided, however*, that no sewer shall be run diagonally through private property when it is practicable to construct the same parallel with the lines of such property, nor shall any public sewer be constructed through private property when it is practicable to construct the same along a street, alley or public highway. An appropriation shall be made to meet the cost of each public sewer from the public revenue. Public sewers may be connected with any other sewer of any class, or with some natural course of drainage.

District Sewers are Defined to be those constructed or acquired under authority of ordinances, within the limits of an established sewer district, and paid for by special tax assessed upon the property in the district.

Joint-District Sewers are Defined to be those constructed or acquired under the authority of ordinances uniting one or more districts or unorganized territory, for the purpose of providing main, outlet, or intercepting sewers, for the joint benefit of such districts or territory, and paid for by special taxes assessed upon all the property in such joint sewer district.

Private Sewers are Defined to be those built with or without permits, and paid for by the parties, persons, associations or corporations constructing the same.

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***SEC. 21. District Sewers, Establishment and Construction of—Districts May be Changed—Special Taxation for, Authorized—Repairs and Other Incidental Expenses Paid by City—Reconstruction of Sewers Permitted at Expense of Property.**—District sewers shall be established and constructed or acquired within the limits of districts to be prescribed by ordinance recommended by the Board of Public Improvements, and may be connected with a sewer of any class, or with some natural course of drainage. District sewers shall be of such dimensions and material as may be considered necessary and expedient by the Board of Public Improvements, and authorized by ordinance. A sewer district may be sub-divided, enlarged or changed at any time previous to the completion of the construction of the sewers therein. The Municipal Assembly shall cause sewers to be constructed in any district whenever a majority of the property holders, resident therein, shall petition therefor, or whenever the Board of Public Improvements shall recommend it as necessary for sanitary or other purposes. Such sewers shall have all requisite laterals, inlets, manholes and other appurtenances.

As soon as a district sewer, with its inlets, manholes, and other appurtenances is fully completed, the Sewer Commissioner shall cause to be computed the total cost thereof, and certify the same to the President of the Board of Public Improvements, and the President of said Board shall assess it as a special tax against all the lots of ground in the district respectively, without regard to improvements, and in the proportion that their respective areas bear to the area of the whole district, exclusive of the public highway, and shall cause to be issued a special tax bill against each lot in the district, giving the name of the owner thereof, in favor of the contractor, which shall be collected and paid in the manner hereinafter prescribed; *provided*, that the repairs and other incidental expenses of the district sewers shall be paid out of the general revenue. Should the sewers in any sewer district or districts become worn out, or be found inadequate in depth, size or

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other respect, so as in the opinion of the Board of Public Improvements to require reconstruction, the Municipal Assembly may, by ordinance, establish sewer districts for such reconstructions, and proceed in all respects as if the territory embraced in such district had never been in a sewer district.

***SEC. 22. Joint-District Sewers, How Established—Special Taxation for, Authorized, How Levied and Assessed—When Territory Outside City Limits is Drained, City to Pay Portion of Cost of Construction—Joint-District Sewers May be Constructed in Sections.**—

Joint district sewers may be constructed or acquired as follows: Whenever the Municipal Assembly, on the recommendation of the Board of Public Improvements, deems it necessary that a sewer be constructed in any part of the city, for the drainage or sanitary improvement of a section of the city comprising more than one established sewer district, or territory not yet in an established sewer district, it may, by ordinance, unite and establish such sewer districts, or parts thereof, and unorganized territory, into a joint sewer district, and cause a sewer or sewers to be constructed therein, and the whole cost thereof to be assessed against all the property within the boundaries of such joint sewer district as a special tax; but if the joint district sewer is to drain territory part of which lies outside of the city limits, and can not be included in the joint sewer district, then the Municipal Assembly shall provide in the ordinance or ordinances authorizing the construction of the joint district sewer or sewers, that a part of the cost of such sewer or sewers, in the proportion that the area of the unincorporated territory bears to the whole area drained, shall be paid out of the general revenue, in which case the remainder of the cost shall be assessed as hereinafter provided.

The total cost of joint district sewers shall be levied and assessed upon all the property in the joint sewer district as follows: Whenever the whole or a section of a joint district sewer is fully completed, the Sewer Commissioner shall cause the total cost thereof to be computed, and shall certify the same

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to the President of the Board of Public Improvements, and the President of said Board shall assess it as a special tax against all of the lots or parcels of ground in the joint sewer district, in the ratio that the area of each lot or parcel of ground bears to the area of the whole district, exclusive of the area of streets, avenues, public highways and alleys, and the President of said Board shall cause to be issued a special tax bill against each lot or parcel of ground in the joint sewer district, giving the name of the owner thereof, in favor of the contractor, which shall be collected and paid as provided in this article. Provided, however, that if the joint district sewer will drain territory part of which lies outside of the city limits, the City of St. Louis shall pay from the public revenue part of the cost of the joint district sewer in the proportion that the area of that part of the territory drained by the joint district sewer which lies outside of the city limits bears to the whole area drained: and the remainder of the cost of the joint district sewer shall be paid for as hereinbefore provided. When the extent and character of a joint district sewer is such as, in the opinion of the Board of Public Improvements, render its division into sections advisable, an ordinance or ordinances directing and authorizing the construction of one or more sections may be passed, and when the work in any such section is fully completed, special tax bills to the amount of the cost of such section shall be issued as herein provided. Joint district sewers shall be constructed of such material and of such dimensions as may be considered necessary and expedient by the Board of Public Improvements, and authorized by ordinance, and they may be connected with other sewers of any class or with some natural course of drainage.

***SEC. 23. Private Sewers—City to be at No Expense for Same—Sewers and Drains Deemed Private—May be Acquired by City—Special Taxation Therefor Authorized—Connections with Other Sewers, Compensation for, at Option of City.**—Private sewers connecting with the public, joint district and district sewers, or with natural water courses,

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may be constructed under such restrictions and regulations as the Municipal Assembly may prescribe by general or special ordinance, recommended by the Board of Public Improvements; but the city shall be at no expense in the construction, repairing or cleaning of the same. All sewers or covered drains, draining or capable of draining more than one lot, built by private persons, corporations or associations, either within the boundaries of the lands owned or held by such parties previous to the subdivision of such lands, with or without a permit from the city, or in the streets, alleys, avenues or public places, under permits granted by the city, shall be considered private sewers. Whenever a private sewer, or any part thereof, is so located and constructed as to fit it to be a part of a joint district or district sewer, the city shall have the right to acquire such private sewer by gift, condemnation or purchase, but such acquirement shall be by ordinance recommended by the Board of Public Improvements. The city shall pay the cost of acquiring the same, and shall reimburse itself in the following manner: The total cost of such condemnation or purchase shall be assessed as a special tax against the property in such district or joint district sewer district, as the case may be, in favor of the city, in the manner herein provided for the construction of such sewers. Public, joint district and district sewers may be connected with private sewers without compensation to the owners or builders thereof, at the option of the city.

SPECIAL TAX BILLS.

***SEC. 24. Special Tax Bills, How Made Out, Registered and Delivered—Place of Payment to be Designated.**—All special tax bills for work contemplated by this Charter shall be made out by the President of said Board, and by him registered in his office in full, and certified and delivered to the Comptroller, and his receipt taken therefor, and by him registered and countersigned and delivered to the parties in whose favor they are issued for collection, and their receipts taken in full of all claims against the city on account of said work. In

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every such tax bill there shall be designated either the City Treasurer, or, at the option of the person or persons entitled to such tax bill, the name of some bank or trust company located and doing business in the City of St. Louis to whom payment of such bill may be made; and in case the City Treasurer is so designated, it shall be his duty to receive and receipt for such payment if tendered.

***SEC. 25. Special Tax Bills to be a Lien on Property—Collected in Name of Contractor—Interest—City Marshal to Serve Notice—Action for False Return—Suit by Attachment Against Non-Resident.**—Said tax bill shall be and become a lien on the property charged therewith, and may be collected of the owner of the land, in the name of and by the contractor, as any other claim in any court of competent jurisdiction, with interest at the rate of six per cent per annum after thirty days from notice of its issuance, as hereinafter provided, and if not paid within six months after such notice, then at the rate of eight per cent per annum from the date of said notice; *provided, however*, that special tax bills payable in installments shall bear interest as hereinafter provided. It shall be the duty of the City Marshal, at the request of the holder or owner of any tax bill issued under this Charter, to serve upon the party or parties named in such tax bill, a notice of the issuance thereof, which service shall be made in the manner provided by law for the service of writs of summons in civil cases. The return of the City Marshal as to service shall be conclusive of the facts therein stated, and any person who may be injured by a false return shall have his right of action for damages resulting therefrom against the Marshal on his official bond. For the service of each such notice the Marshal shall be entitled to the same fee as may be allowed by law for the service of a writ of summons. Whenever the Marshal shall make a return of "not found" against any party, the institution of suit thereafter shall be deemed and taken to be the equivalent of such notice of and demand of payment. In case the owner of the ground is a non-resident of the State,

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suit may be brought by attachment, which shall be equivalent to notice, and a demand for payment.

Certified Tax Bills Prima Facie Evidence—Defenses.—

Such certified bill shall in all cases be *prima facie* evidence that the work and material charged in such bill shall have been furnished, and of the execution of the work, and of the correctness of the rates or prices, amount thereof, and of the liability of the person therein named as the owner of the land, charged with such bill, to pay the same; *provided*, that nothing in this section shall be so construed as to prevent the party charged with the payment of said bill from pleading in reduction of the amount of same, that the work therein mentioned was not done in a good and workmanlike manner; and provided that the party charged shall set up, by way of defense, that the work was not done in a workmanlike manner, according to the class of work mentioned in the contract, and that such party, before the commencement of the suit, tendered to the contractor the full value of such work done, and shall establish the same on the trial, the recovery shall only be for the amount so tendered, and judgment for costs shall be rendered against the plaintiff.

City Not Liable on Special Tax Bills.—The city shall not be liable, in any manner whatever, for or on account of any work done which is to be paid for in the manner provided in this section.

Certain Tax Bills Shall be Divided into Parts and May be Paid in Installments—Interest—Effect of Non-Payment of Interest or Installment when Due.—*Provided, however*, that every special tax bill authorized by this Charter to be levied or assessed for the construction or reconstruction of streets, avenues, highways, boulevards or district or joint district sewers, shall be divided into not less than three, nor more than seven, equal parts, as may be provided by the ordinance authorizing such improvement, payable and collectable in installments as follows: The first installment shall become due and payable thirty days after notice of the issuance thereof, without interest; the second installment shall become due and payable one year after such notice; the third installment, two

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years; the fourth installment, three years; the fifth installment, four years; the sixth installment, five years; and the seventh installment, six years, after such notice; *provided, however*, that the owner, or any person having an interest in the property charged with a tax bill may pay the same in full at any time within thirty days after notice as aforesaid, without interest, and such owner or person having an interest may pay such tax bills in full at any time by paying interest thereon as follows: If paid at or before maturity and more than thirty days after notice, as aforesaid, at the rate of six per cent per annum from date of notice to date of payment; if paid after maturity, at the rate of six per cent per annum from date of notice to date of maturity, and at the rate of eight per cent per annum from date of maturity to date of payment; All interest shall be payable annually from date of notice of the issuance of tax bills. If any installment of any such special tax bills, or any interest on any installment, be not paid when due, then, at the option of the holder thereof, all remaining installments shall become due and collectable, together with interest thereon as aforesaid. Suits may be brought to enforce the payment of such special tax bills, or any installment or installments thereof, with any interest due on any installment, in the manner herein provided for the bringing of such suits on other special tax bills.

Limitation of Lien of Special Tax Bills—Entry of Satisfaction.—Whenever any special tax bill issued heretofore, or hereafter to be issued, to a contractor or contractors, shall be paid, it shall be entered satisfied on the register in the Comptroller's office; and the lien of any bill so issued that is not entered satisfied within two years after its maturity, unless proceedings in law shall have been commenced to collect the same within that time, and shall still be pending, shall be destroyed and of no effect against the land charged therewith; *provided, however*, that where bills are not paid in installments, the lien thereof shall terminate within two years after their date, unless such proceedings shall have been commenced within that time and be still pending.

PUBLIC IMPROVEMENTS—SPECIAL TAX BILLS.

***SEC. 26. Special Tax Bills May be Assigned—Formality Required—Payment.**—Such special tax bills and lien thereof shall be assignable. Each and every transfer of special tax bills shall be registered in the office of the Comptroller, and no transfer thereof shall be valid or effectual until it is so registered. Every transfer shall be in writing, and witnessed by the Comptroller personally, or by one of his deputies, duly acknowledged before a notary public, or other officer authorized to take acknowledgments, and in each transfer there shall be designated the City Treasurer or the name of some bank or trust company located and doing business in the City of St. Louis, to whom payment of the said tax bill, or of any of the installments thereof, or of any interest on any installment thereof, may be made at or after maturity; and payment made to the City Treasurer, whose duty it shall be to receive and receipt for the same, if tendered, or to the designated bank or trust company shall be sufficient to procure the partial or total entry of satisfaction of such tax bill, as the case may be, in the office of the Comptroller on presentation to the Comptroller of the tax bill duly receipted, or on presentation of a receipt of the City Treasurer or of such designated bank or trust company showing such payment. All payments made to the City Treasurer shall be by him paid over to the party or parties entitled hereto upon the warrant of the Auditor.

CONTRACTS FOR PUBLIC WORK.

***SEC. 27. Assembly Forbidden to Contract for Public Work—B. P. I. to Submit Ordinance for Proposed Work—Advertising for Bids, Requisites—Contract to be Let to “Lowest Responsible Bidder”—One Having Failed to Carry Out Prior Contract with City Deemed Not Responsible—Bids May be Rejected—Sureties on Contractor’s Bond.**—The Assembly shall have no power directly to contract for any public work or improvement, or repairs thereof, contemplated by this Charter, nor to fix the price or rate therefor; but in all cases, except in case of emergency work or necessary repairs

*This section is an amendment to the Charter, adopted at the charter amendment election, held on October 22, 1901.

PUBLIC IMPROVEMENTS—CONTRACTS.

requiring prompt attention, the Board of Public Improvements shall prepare and submit to the Assembly an ordinance, with an estimate of the cost endorsed thereon by the President of the Board, authorizing the doing of any proposed work, and, under the direction of the ordinance authorizing the same, shall advertise for bids, in the papers doing the city printing, three times, the last publication to be at least ten days before the day appointed for the opening of the bids, stating the general nature of the work to be done and the time and place when the bids will be received, and shall let out said work by contract to the lowest responsible bidder. Any other mode of letting out or contracting for work shall be held as illegal and void. But when so provided in the ordinance authorizing or directing the work to be done, the advertising may be for a different period, and in other papers than those provided above. No security on any bond shall be taken unless he shall pay taxes on property equal in an amount to his liability on all bonds on which he may be security to the city. And no contract shall be made under this section without bond for its faithful performance, with at least two sufficient securities. No person, firm or corporation shall be deemed such a responsible bidder who has failed or refused to fully carry out any prior contract let to him or them for doing any work contemplated by this Charter; *provided, however*, that the said Board of Public Improvements shall have full power and authority to reject all bids so advertised for and submitted, whenever, in its judgment, the interests of the city may require, and in such event shall, in like manner, readvertise for bids for such work.

Certified Checks to Accompany all Bids.—All bids for the doing of public work shall be accompanied with a certified check on some bank or trust company in the City of St. Louis, payable to the order of the Treasurer of the City of St. Louis, for the amount of the deposit required, enclosed in the sealed envelope enclosing the bid.

***SEC. 28. Improvement Ordinances to Contain Specific Appropriations—Work May be Done in Parts, but Appropriation Shall be Made for Each Part.**—Every ordinance

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requiring work to be done shall contain a specific appropriation from the proper revenue and fund for such part thereof, as may be payable by the city based upon an estimate of cost, to be endorsed by the President of the Board of Public Improvements on said ordinance, for the whole of the cost of the proposed work. *Provided, however,* that when the work contemplated by such ordinance is of such magnitude that the total cost thereof would exceed the amount of money then in the city treasury, and available for such purpose, the ordinance may provide for the whole work, which shall prescribe that it shall be contracted for and done in sections or parts as the Assembly shall, from time to time, appropriate the money to pay for the same. But in all such cases the work to be done in sections or parts shall be limited to the amount appropriated for the doing of such sections or parts, and in this manner ultimately to complete the work specified.

Contract Provisions—Suspension of Work on Complaint—B. P. I. to Examine and Report—Cost.—Every contract shall contain a clause to the effect that it is subject to the provisions of the Charter, that the aggregate payments thereon shall be limited by the amount of such specified appropriation, and that, on ten days' notice, the work under said contract may, without cost to or claim against the city, be suspended by said Board with the approval of the Mayor, for want of means, or other substantial cause; *provided,* that on the complaint of any citizen and taxpayer, that any public work is being done contrary to contract, or the work or material used is imperfect or different from what was stipulated to be furnished or done, the said Board shall examine into the complaint and may appoint two or more members of said Board to examine and report on said work, and after such examination, or after considering the report of said commissioners, they shall make such order in the premises as shall be just and reasonable, and what the public interest seems to demand, and such decision shall be binding on all parties; the cost of such examination shall be borne by the contractor, if such complaint is decided to be well founded, and by the complainant, if found to be groundless.

PUBLIC IMPROVEMENTS—STREET SPRINKLING.

***SEC. 29. Street Sprinkling Authorized by Ordinance—Special Tax Bills Therefor Issued in Favor of City—Contracts Made Annually by B. P. I.—Sprinkling Districts—Date of Special Tax Lien—Interest—Cost of Sprinkling Paid Out of City Treasury—City Reimbursed by Special Tax Bills.**—The Mayor and Assembly shall have power within the city by ordinance to cause the streets and public places of the city, or any part thereof, to be sprinkled, and the cost thereof to be provided for and defrayed by a special tax to be assessed in favor of the city on the adjoining property fronting or bordering on the streets or public places where such sprinkling is proposed to be done, in the proportion that the linear feet of each lot fronting or bordering on the street or public place so to be sprinkled bears to the total number of linear feet of all property chargeable with the special tax aforesaid in the territory embraced by the contract under which said sprinkling is to be done. The above work shall be contracted for annually by the Board of Public Improvements at such time and under such terms and conditions as shall be provided by ordinance, and the city shall be divided into at least forty sprinkling districts for the above purpose, and each district shall be let separately. The special tax bills spoken of shall be and become a lien on the property charged therewith from the first Monday in April in each year, and shall be *prima facie* evidence of the liability of the property charged therewith to the extent and amount therein specified, and may be collected of the owner of the land in the name of and by the City of St. Louis as any other claim in any court of competent jurisdiction, with interest at the rate of six per cent per annum from the first day of May in each year, and if not paid by the first day of June in each year, then at the rate of eight per centum per annum from the first day of April in each year, and they shall be issued and collected in the manner hereafter provided by ordinance. The cost of the sprinkling shall be paid out of the city treasury to the contractors, and the City Treasurer shall be reimbursed for such expenditures by the proceeds of the special tax bills aforesaid.

* This section is an amendment to the Charter, adopted at the charter amendment election, held on October 22, 1901.

ARTICLE VII.

WATER-WORKS.

SECTION

1. Water commissioner; his term, bond, etc.
2. Water commissioner to assume charge of the department, etc.
3. Contracts for work to be submitted to council.
4. City to be liable for real estate taken for water-works, etc.
5. Laying of water pipe.
6. Owners of buildings may be compelled to take out water license as a sanitary measure, etc.
7. Assessor and collector of water rates—clerks, duties, etc.
8. His salary and bond.

SECTION

9. Collections to be deposited in treasury daily—monthly statement to comptroller.
10. Issue of water licenses, etc.
11. Assembly may regulate water rates—revenue from water-works, how applied.
12. Water rates to be fixed so as to pay current expenses of works and interest on water-bonds—exceptional discriminations forbidden.
13. Sale or lease of water-works forbidden—fund to renew and extend water-works, and to pay interest and principal of water bonds.

SECTION 1. Water Commissioner—His Term, Bond, Etc.

—The water works, except the assessment of water rates and the collection of the revenue therefrom, shall be under the control and management of a commissioner, to be known as "Water Commissioner," who shall be appointed by the Mayor, and confirmed by the Council, and shall be a duly qualified engineer, hold office for four years, and give such bond as may be required by ordinance. He shall appoint such subordinates as may be necessary for the management and efficient operation of said water works as may be provided by ordinance.

SEC. 2. Water Commissioner to Assume Charge of the Department, Etc.—Upon the appointment of the Water Commissioner under this Charter, he shall take charge of the water works, and all the appurtenances thereto, and shall assume supervisory control over the operation of the same, and enforce the performance of all existing and future contracts and work; and it shall be the duty of the Board of Water Commissioners, and all other persons having charge of the water works, or connected therewith, upon demand of said Commissioner, to turn over all books, records, property and assets belonging to said water works to said Commissioner, and thereupon the official terms of said Board of Water Commissioners and their appointees shall cease and determine.

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SEC. 3. Contracts for Work to be Submitted to Council.—The doing of all work, and the furnishing of all materials and supplies for the water works, shall be let out by the Commissioner in the same manner as other public work, except in cases where it is not practical to do such work or furnish such materials by contract; and all contracts shall be submitted to the Council for approval.

SEC. 4. City to be Liable for Real Estate Taken for Water Works, Etc.—The City of St. Louis shall be liable for all damages that may be sustained by any person in his or her property, by the taking of any real estate, for the purposes necessary for the efficient operation of its water works, and if the amount of compensation to be paid to any such owner or owners can not be amicably agreed upon between the city and such owner or owners, then application may be made by the City Counselor, on behalf of the city, to the Circuit Court of the Eighth Judicial Circuit, for assessment of such damages, in the same manner as is prescribed in this Charter in the matter of street openings.

SEC. 5. Laying of Water Pipe.—Whenever a majority in interest of the property-holders on any street, avenue, lane or alley, in the City of St. Louis, shall hereafter petition for water pipe to be laid along such street, avenue, lane or alley, and the laying of the same is authorized by ordinance, or whenever the Assembly shall, by a vote of two-thirds of all the members elected to each branch, declare the laying of water-pipe on any street, avenue lane or alley, to be necessary, the Water Commissioner shall cause the same to be laid; and the cost of laying all such pipe shall be paid as provided by ordinance.

SEC. 6. Owners of Buildings May be Compelled to Take Out Water License as a Sanitary Measure, Etc.—The Water Commissioner may require owners or lessees, or their agents, of houses, stores and other buildings in the city, or in such part thereof as he is ready to supply, to take out license for the use of water for such house, store or building, according to the rates and assessment as fixed by ordinances of the city for the use of water, whenever the Board of Health of the City of St. Louis shall, by order duly made, declare that the use of water

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from the water works of the city in any such house, store or building, is demanded as a sanitary measure for the preservation of the health of the inmates or inhabitants of such house, store or building; and the said rate and assessment shall be paid by all such proprietors, owners or lessees, or their agents, as well by those who consent as by those who refuse to place in their houses, stores and buildings the water pipe to convey the same, and shall be payable whenever the Assessor of Water Rates shall have notified the proprietor, owner, lessee, or his or her agent, of the readiness of said Water Commissioner to supply such house, store or building with water as aforesaid. The parties who fail or neglect to comply with the provisions of this section shall be subject to penalties as may be provided by ordinance.

SEC. 7. Assessor and Collector of Water Rates—Clerks, Duties, Etc.—The assessment and collection of water rates shall be under the control and supervision of an Assessor and Collector of Water Rates, who shall be appointed by the Mayor, and confirmed by the Council. He shall have authority to appoint such clerks and assistants as may be authorized by ordinance. It shall be the duty of said Assessor and Collector to collect all revenue due, or to become due, to the City of St. Louis for water, or accruing to the City of St. Louis on account of the water works thereof, in virtue of any ordinance now existing or hereafter to be passed.

SEC. 8. His Salary and Bond.—The Assessor and Collector of Water Rates shall receive a salary to be fixed by ordinance, not exceeding three thousand dollars a year, and shall give a bond of one hundred thousand dollars, with not less than four good sureties, owners of unincumbered real estate, within the City of St. Louis, of the assessed value of one hundred thousand dollars, to be approved by the Mayor, conditioned that he will faithfully and punctually collect and pay to the Treasurer of the City of St. Louis all moneys due and collectable for and on account of the water works, and that he will faithfully perform all the duties of his office according to law.

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SEC. 9. Collections to be Deposited in Treasury Daily—Monthly Statement to Comptroller.—At the close of each day, the Assessor and Collector of Water Rates shall deposit in the city treasury the revenue collected during the day, taking triplicate receipts for the same, one of which shall be deposited with the Comptroller, and one with the Auditor. Every failure in this respect shall be reported to the Mayor, upon which the Mayor may suspend or remove said Collector. He shall monthly furnish the Comptroller with a full and complete statement of all collections made by him, also the number of blank licenses not used.

SEC. 10. Issue of Water License, Etc.—The Comptroller shall countersign all blanks received from the Register for water license, and shall issue the same to the Collector and Assessor of Water Rates, taking his duplicate receipts therefor, one of which he shall file with the Auditor. The Comptroller is further instructed to examine the monthly statement of the said Assessor and Collector, and to certify to the Auditor whether it is correct or not.

SEC. 11. Assembly May Regulate Water Rates—Revenue from Water Rates, How Applied.—The Assembly may make alterations in the prices or rents to be paid for the use of water from the water works, and the whole net income from rents and receipts of the water works, in excess of what may be necessary for completing, constructing, operating and repairing the water works and for interest on water bonds shall be transferred quarterly to the fund commissioners of the City of St. Louis, and shall be by them invested in St. Louis water bonds, if the same can be done advantageously, and if not, in other bonds of the City of St. Louis; and if none such are procurable, then in bonds of the State of Missouri, or the United States, and the whole sum so invested shall be set apart as a sinking fund, solemnly appropriated to and for the payment of the bonds issued for the erection of the water works, denominated "St. Louis water bonds," and shall be applied solely to that purpose until the whole of said bonds be fully paid; and the fund commissioners shall, whenever required by the Assembly or either branch thereof, render a just, true and

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full account of all their receipts, payments and proceedings under this section.

SEC. 12. Water Rates to be Fixed so as to Pay Current Expenses of Works and Interest on Water Bonds—Exceptional Discriminations Forbidden.—The water rates shall be fixed at prices that shall produce revenue sufficient at least to pay the interest upon the city water bonds, and the running expenses of the water works department. No water rate shall be allowed or fixed by any other principle or consideration than that of producing revenue, and exceptional discriminations in rates are forbidden.

***SEC. 13. Sale or Lease of Water Works Forbidden—Fund to Renew and Extend Water Works, and to Pay Interest and Principal of Water Bonds.**—The water works shall never be sold, leased or otherwise disposed of. The Assembly shall have power from the income, rents and receipts of the water works to provide a fund for the renewal and extension thereof, and for the payment of interest and principal of bonds issued for such renewal or extension.

* New section to Charter, adopted at the charter amendment election, held on October 22, 1901.

ARTICLE VIII.

PUBLIC PARKS.

SECTION

1. Park commissioner—term of office and bond—reports, etc.
2. Appointment of assistants, etc.
3. Annual appropriation for parks—entrance and exit gates.

SECTION

4. Authority of municipal assembly to sell or lease parks—action to be ratified by popular vote.
5. Proceeds of O'Fallon park bonds to be turned over to the fund commissioners.
6. Repeal of special park acts.

SECTION 1. Park Commissioner—Term of Office and Bond—Reports, Etc.—The public parks, places and squares of the city, except Tower Grove Park, shall be under the supervision and control of a commissioner, to be known as the "Park Commissioner," to be appointed by the Mayor, and confirmed by the Council, who shall hold office for four years, and until his successor is appointed and qualified, and give bond for the faithful performance of his duties in the sum of at least ten thousand dollars, with at least two sureties, residents of the city and owners of unincumbered real estate in said city. He shall keep a record of all receipts and expenditures on account of said parks, squares and public places, and make a monthly report of the same to the Comptroller.

SEC. 2. Appointment of Assistants, Etc.—It shall be the duty of the Park Commissioner to execute all ordinances of the city regulating the management and improvement of the public parks, squares and places of the city, and for this purpose shall have authority, with the approval of the Mayor, to appoint such assistants and employes as may be provided by ordinance.

SEC. 3. Annual Appropriation for Parks—Entrance and Exit Gates.—The Municipal Assembly shall, as in its judgment may be deemed necessary, annually make such appropriation, but not less than thirty thousand dollars, out of the revenue of the city, for the purpose of embellishing, improving, and keeping in order all the parks and squares and places under the supervision of the Park Commissioner. Every public park of the City of St. Louis shall be provided with at

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least one entrance and exit for public use on each side thereof, appropriate to the purpose for which said park may be used.

SEC. 4. Authority of Municipal Assembly to Sell or Lease Parks—Action to be Ratified by Popular Vote.—The Municipal Assembly shall have authority, upon the recommendation of the Board of Public Improvements, to provide by ordinance, for the sale, or lease, of any of the parks, places and squares under the supervision of said Board, but such ordinance shall provide that the proceeds of the sale of any such park, place or square shall be paid to the fund commissioners of the city, and that all rentals shall be placed to the credit of the Board of Public Improvements, for the improvement and embellishment of the parks of the city: *Provided however*, that no such sale or lease shall be made by the Municipal Assembly unless the ordinance providing therefor be submitted to a vote of the qualified voters of the city for ratification at a general election, and it be ratified by a majority of the qualified voters of the city.

SEC. 5. Proceeds of O'Fallon Park Bonds to be Turned Over to Fund Commissioners.—It shall be the duty of the Auditor of the County of St. Louis, and the presiding justice of the county court thereof, after the adoption of this Charter and upon demand of the Mayor of the city, to draw a warrant on the county treasurer in favor of the fund commissioners of the City of St. Louis for the amount realized by the sale of bonds authorized by an act approved March 22, 1875, entitled "An act to amend an act entitled an act to establish O'Fallon Park in St. Louis County, and authorizing the county court of St. Louis County to issue bonds for the purchase of lands therefor, and for the government of the same when established, approved March 27, 1874," and the fund commissioners shall purchase the bonds of the city for the same.

SEC. 6. Repeal of Special Park Acts.—An act entitled "An act to establish Carondelet Park in St. Louis County, and authorizing the county court of St. Louis County to issue bonds for the purchase of lands therefor, and to provide for the government of the same when established," approved February 25, 1874, and an act entitled "An act to establish Forest Park

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in the County of St. Louis, to provide for the establishment and government thereof, and to provide for the issue of bonds by the county court of St. Louis County, for the purposes of said park, and for the purchase and condemnation of lands for the same," approved March 25, 1874, and an act entitled "An act to establish O'Fallon Park in St. Louis County, and authorizing the county court of said county to issue bonds for the purchase of lands therefor, and for the government of the same when established," approved March 25, 1874, are hereby repealed.

ARTICLE IX.

HARBOR AND WHARF DEPARTMENT—HARBOR.

SECTION

1. Harbor and wharf commissioner.
2. Official term and bond—salaries, deputies, etc.
3. Harbor of the city.
4. Jurisdiction of commissioner.
5. Authority and duties of commissioner.
6. Wharfage and levee dues, how collected, etc.

SECTION

7. Collections to be credited to harbor fund.

WHARF-BOATS.

8. Mooring of wharf-boats, etc.
9. Owners of wharf-boats forbidden to receive commissions or charge storage.
10. Wharf-boats not to affect wharfage dues.

SECTION 1. Harbor and Wharf Commissioner.—There is hereby created a department of the city government called the Harbor and Wharf Department, which shall be under the jurisdiction and control, subject to the provisions of this Charter, and of ordinances not conflicting therewith, of an officer who shall be styled the "Harbor and Wharf Commissioner."

SEC. 2. Official Term and Bond—Salaries, Deputies, Etc.—The Harbor and Wharf Commissioner shall be appointed by the Mayor and confirmed by the Council. He shall hold his office for the term of four years, and until his successor is duly qualified. He shall give personal attention and devote the whole of his time to the duties of his office, and for the faithful performance thereof shall give such bond, and for such sum as may be provided by ordinance. He shall receive a stated salary for his services, in such sum as may be fixed by ordinance, and, with the approval of the Mayor, may appoint such deputies and assistants as may be provided by ordinance.

SEC. 3. Harbor of the City.—The harbor of the City of St. Louis shall comprise the bed of the Mississippi River, its channels, sloughs, bayous, bars and islands, from the mouth of the Missouri River to the mouth of the Meramec River.

SEC. 4. Jurisdiction of Commissioner.—The jurisdiction of the Harbor and Wharf Commissioner shall extend over all the lands, river banks and beach dedicated, condemned, or belonging to the city for wharf purposes within the city, and over so much of the Mississippi River, and to the middle of the main

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channel thereof, as lies immediately in front of the city over which the city has control.

SEC. 5. Authority and Duties of Commissioner.—It shall be the duty of the Harbor and Wharf Commissioner and he is hereby empowered, to direct the landing and stationing of all boats, vessels or rafts arriving at any point within the limits of the city, and to direct the discharge and removal of their cargoes; to superintend the disposition of freight, merchandise and materials for repairs on the river bank; to keep the wharf and the river along the shore free from wrecks and other improper obstructions, and generally to exercise such supervision and control over the wharf and harbor, and to perform such other duties, as may be provided by ordinance.

SEC. 6. Wharfage and Levee Dues, How Collected, Etc.—The Harbor and Wharf Commissioner shall carefully examine, and, if found correct, certify all bills and claims against the city pertaining to his department. He shall, upon blanks furnished by the Comptroller, make out and deliver to the City Collector for collection all bills for wharfage dues, levee rates, and all other dues whatever to his department, as may be established by ordinance, immediately on the liability therefor accruing, taking duplicate receipts therefor, one of which he shall retain in his office, and the other he shall deliver at least monthly to the Auditor, for charge against the Collector.

SEC. 7. Collections to be Credited to Harbor Fund.—All moneys collected from harbor tax, wharfage dues or other sources relating to harbor, as well as all forfeitures, fines and penalties imposed for violation of ordinances duly enacted relating to harbor and wharf, shall be credited to the account of harbor fund.

WHARF BOATS.

SEC. 8. Mooring of Wharf Boats, Etc.—*Bona fide* owners of steamboats regularly engaged in carrying passengers or freight, or of barges transporting general merchandise by means of steam tow boats, to or from this city, and none others, may have the right to moor a wharf boat at the paved landing, to be used exclusively for their own boats or vessels

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upon the terms and conditions provided by this charter and by ordinance: *provided, however*, that said wharf boat shall be owned by the same owners, and in exactly the same proportion as the said boats and vessels are owned.

SEC. 9. Owners of Wharf Boats Forbidden to Receive Commissions or Charge Storage.—No person keeping or interested in a wharf boat in the City of St. Louis shall be allowed to charge for the storage or forwarding of any freight or merchandise passed over said wharf boat, nor to receive any commission on said freight or merchandise, nor to charge directly or indirectly any transient or other boats for the privilege of landing at said wharf boat. Any person, association or corporation, violating any provision of this section shall pay to the city a fine of not less than fifty dollars for each offense, and said Commissioner shall report every such violation to the City Attorney.

SEC. 10. Wharf Boats Not to Affect Wharfage Dues.—The mooring of any wharf boat shall not affect in any manner the wharfage tax, or dues, or levee rates, but wharfage shall be collected from each boat landing at any wharf boat as though said wharf boat was not there.

ARTICLE X.

STREET RAILROADS.

SECTION

1. Authority of municipal assembly in reference to street railroads—may sell franchises or impose a per capita tax, or a tax on gross receipts.
2. May regulate running of cars and rates of fare, and tax property.
3. Surrender of franchises, how effected.

SECTION

4. Uniform gauge required, width of rail prescribed.
5. Companies to keep street between rails in repair.
6. Right of one railroad company to run cars on the track of another.
7. Existing franchises to be forfeited unless put in use within one year.

SECTION 1. Authority of Municipal Assembly in Reference to Street Railroads—May Sell Franchises or Impose a Per Capita Tax or a Tax on Gross Receipts.—The Municipal Assembly shall have power by ordinance to determine all questions arising with reference to street railroads, in the corporate limits of the city, whether such questions may involve the construction of such street railroads, granting the right of way, or regulating and controlling them after their completion; and also shall have power to sell the franchise or right of way for such street railroads to the highest bidder, or as a consideration therefor, to impose a per capita tax on the passengers transported, or an annual tax on the gross receipts of such railroad, or on each car, and no street railroad shall hereafter be incorporated or built in the City of St. Louis except according to the above, and other conditions in this Charter, and in such manner and to such extent as may be provided by ordinance.

SEC. 2. May Regulate Running of Cars and Rates of Fare and Tax Property.—The Assembly shall have power to regulate the time and manner of running cars, and the rates of fare on street railroads now or hereafter to be built, and the sale of tickets and exchange thereof between the several companies, and to tax the property of street railroad companies in such manner as may be provided by law.

SEC. 3. Surrender of Franchises, How Effected.—Any street railroad company unable or indisposed to carry forward its business may notify the Mayor of such indisposition, and

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surrender thereby all their chartered rights or franchises, in such manner and under such terms and conditions, as may be provided by ordinance.

SEC. 4. Uniform Gauge Required—Width of Rail Prescribed.—An uniform gauge shall be established by ordinance for all street railroads that may be built in the City of St. Louis, and no flat rails shall hereafter be laid down on street railroads now or hereafter to be built, having a less width than two and a half inches in the flange of said rail, which is used by ordinary vehicles.

SEC. 5. Companies to Keep Street Between Rails in Repair.—Street railroad companies shall keep the street between the rails and to the extent of twelve inches outside of each rail in perfect repair, as nearly on a level with such rails as practicable and that portion outside the rails shall be of the same material as the street itself, and the Municipal Assembly shall provide by ordinance that bond or other security shall be given by the several companies, conditioned for a compliance with the provision of this section.

SEC. 6. Right of One Railroad Company to Run Cars on the Tracks of Another.—Any street railroad company shall have the right to run its cars over the track of any other street railroad company in whole or in part, upon the payment of just compensation for the use thereof, under such rules and regulations as may be prescribed by ordinance, and it shall be the duty of the Municipal Assembly to immediately pass such ordinances as may be necessary to carry this provision into effect.

SEC. 7. Existing Franchises to be Forfeited Unless Put in Use Within One Year.—All franchises and privileges to use the streets of the city for street railroad purposes heretofore granted, and not now in use, are hereby declared forfeited and of no effect, unless the company or persons holding such franchises or privileges shall, within one year after the adoption of this Charter, construct the tracks and run street cars upon said streets, to the extent that said streets may then be finished, and also extend such tracks and run cars on such streets as rapidly as the construction of such streets is completed.

ARTICLE XI.

FIRE DEPARTMENT.

SECTION

1. Chief of fire department—term of office—duties.
2. Power to purchase horses, etc., with approval of mayor—purchase of engines, apparatus, etc.

SECTION

3. May exercise police power at fires.
4. Regulations as to frame buildings.
5. Chief to inspect all new buildings.

SECTION 1. Chief of Fire Department—Term of Office—Duties.—The Fire Department of the city shall be under the control and supervision of a “Chief of Fire Department,” who shall be appointed by the Mayor and confirmed by the Council, who shall hold his office for four years and until his successor is duly qualified, subject to removal, as provided for other appointed officers. He shall have general charge of the property of the city connected with his department, and shall, subject to the approval of the Mayor, appoint and employ all such officers and employes as may be provided by ordinance.

SEC. 2. Power to Purchase Horses, Etc., with Approval of Mayor—Purchase of Engines, Apparatus, Etc.—The Chief of Fire Department shall have power, in cases of emergency, with the approval of the Mayor, under such regulations as may be prescribed by ordinance, to purchase or hire such horses and mules as, may be necessary for the use of his department, and shall, with the approval of the Mayor, recommend to the Commissioner of Supplies, the purchase of engines and other apparatus for the suppression or extinguishment of fires, in such manner and to such extent as may be provided by ordinance.

SEC. 3. May Exercise Police Power at Fires.—The Chief of Fire Department and assistant engineers appointed by him shall have the same police powers at all fires as the Chief of Police, under such regulations as may be provided by ordinance.

INSPECTION OF BUILDINGS.

SEC. 4. Regulations as to Frame Buildings.—No person shall erect within the limits of the City of St. Louis, as

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established by the act of the General Assembly of the State of Missouri entitled "An act to revise the Charter of the City of St. Louis, and to extend the limits thereof," approved March 4, 1870, any building or buildings the outer walls of which are in whole or in part constructed of wood, nor upon blocks or squares in the territory added to the city by this Scheme or Charter, that have built upon them six or more substantial dwellings or storehouses, without procuring a permit so to do in such manner as may be provided by ordinance.

SEC. 5. Chief to Inspect All New Buildings.—It shall be the duty of the Chief of Fire Department to inspect all buildings in the course of construction, and to cause to be carried into effect all ordinances relating thereto.*

*Above duties transferred to Commissioner of Public Buildings. Mun. Code. Section 24.

ARTICLE XII.

HEALTH DEPARTMENT.

SECTION

1. Health commissioner—his official term and bond.
2. Board of Health—meetings, quorum, etc.
3. Duties of commissioner—appointment of employes—may examine premises—shall obey orders of the board, and report annually to the board.
4. Nuisances to be reported to commissioner—births, marriages and deaths to be registered—commissioner to have charge of hospitals, asylum, etc.
5. Superintendents of hospitals and employes, how appointed.
6. Abatement or removal of nuisance—notification to owners—cost of abatement to be assessed as special tax.

SECTION

7. Contracts for the abatement of nuisances.
8. Proclamation by mayor in time of epidemics—authority of commissioner and board of health in such cases, etc.
9. Commissioner's record and accounts.
10. Duties of physicians in reference to burial certificates.
11. Weekly report of interments to be made to health commissioner.
12. Penalty in case of burial without certificate.
13. Penalty for failure to make weekly report of interments.
14. Record of proceedings of board.

SECTION 1: Health Commissioner—His Official Term and Bond.—There is hereby created a Health Department of the City of St. Louis, which shall be managed, directed and controlled as provided by this Charter and by ordinances of the City of St. Louis, by a Board of Health as hereinafter provided, and by an officer who shall be denominated the Health Commissioner. He shall be appointed by the Mayor by and with the approval of the Council, and shall perform such duties as may be provided by this Charter and by ordinance. He shall hold his office for the term of four years, and until his successor is duly qualified, be subject to removal by the Mayor as other officers, and shall possess the same qualifications as the Mayor, and shall give bond in such sum as shall be ordained by the Assembly, with at least two sufficient sureties, for the faithful performance of his duties.

SEC. 2. Board of Health—Meetings, Quorum, Etc.—There is also hereby created a Board of Health which shall consist of the Mayor, (who shall be its presiding officer), the presiding officer of the Council, a Commissioner of Police, to be designated by the Mayor, and two regular practicing physicians, who shall possess the same qualifications as the Mayor.

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The Health Commissioner shall be a member of said Board and in the absence of the Mayor, the presiding officer. The Board shall meet twice in each week during the year. They may be convened in special session at any time by the Mayor, Health Commissioner, or by any two members of the Board upon written notification served twelve hours before the date of said meeting. Three members of the Board shall constitute a quorum for the transaction of business, and it shall have power to adopt rules and regulations for its government.

SEC. 3. Duties of Commissioner—Appointment of Employes—May Examine Premises—Shall Obey Orders of Board, and Report Annually to Mayor.—The Health Commissioner shall have general supervision over the public health of said city, and see that its regulations, and the laws and ordinances of said city in relation thereto, are enforced and observed, and for that purpose he is authorized and empowered to make such rules and regulations, with the approval of the Board, not inconsistent with this Charter or any city ordinance or law of this State, as will tend to preserve and promote the health of said city; to appoint such employes, with the approval of the Board of Health as may be necessary for the execution of his orders; to enter into or authorize and require any employe or police officer to enter into and examine, in the daytime, all buildings, lots and places of every description, within the city and to ascertain and report to him the condition thereof, so far as the public health may be affected by it; to declare and abate nuisances in such manner as may be provided herein, or by ordinance, but all condemnations must first be approved by the Board of Health, whose action thereon shall be final. He shall obey all orders, not inconsistent with this Charter and city ordinances, emanating from the Board of Health, and shall annually report to the Mayor, the general operations of his department during the year then ended, with such suggestions for the improvement of the same as he shall consider expedient.

SEC. 4. Nuisances to be Reported to Commissioner—Births, Marriages and Deaths to be Registered—Commissioner to Have Charge of Hospitals, Asylums, Etc.—It is made the duty of all police officers to observe the sanitary con-

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dition of their districts, and through the Chief of Police to report to the Health Commissioner promptly any nuisance or accumulated filth found to exist in any portion of the city. The Health Commissioner shall provide for the registration of all births, deaths and marriages occurring within the city; shall have charge of all city hospitals, quarantine, insane asylums, morgue and city dispensary, and with the advice and counsel of said Board of Health, make all necessary rules for the government thereof.

SEC. 5. Superintendents of Hospitals and Employes, How Appointed.—There will be a superintendent of the city hospital, a superintendent of the female hospital, a superintendent of the insane asylum, and a superintendent of quarantine when necessary, who shall perform their duties under the general supervision of the Health Commissioner, and shall be appointed by the Mayor, with the approval of the Board of Health, but all other employes shall be appointed by the Health Commissioner, and approved by the Board of Health, except such as may be temporarily in the employ of the Health Commissioner.

SEC. 6. Abatement or Removal of Nuisances—Notification to Owners—Cost of Abatement to be Assessed as Special Tax.—In order to effect the abatement of nuisances or removal of accumulated filth, the Health Commissioner shall have power, whenever in his opinion such nuisance or filth exists, and after officially so declared of record by the Board of Health, to notify the owner or owners thereof, or his or their agents, to abate or remove the same, either by filling up, draining, cleaning purifying or removing same, as the case may be, which notice shall be served upon the owner or agent having charge of said property, in the same manner as writs of summons are required to be served in civil cases. If the owner, who shall have been so served with such notice, shall fail, within the time indicated in such notice, which shall be discretionary with said Health Commissioner, to comply with such order, or fail to show good cause to said Health Commissioner why he can not or ought not to comply with such order, for which purpose he shall be entitled to be heard before

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said Health Commissioner and Board of Health, if he so request it, he shall be deemed guilty of a misdemeanor, and on conviction, shall be fined not exceeding five hundred dollars; and the nuisance shall be abated, and special tax bills rendered against the property in same manner as against non-residents, except that notice by advertisement shall not be necessary. If such service can not be made for the reason that the owner, agents, or other persons having charge of the property upon which the nuisance may exist, can not be found in the city, of which fact the return upon such notice of the officer serving the same shall be conclusive evidence, then the Health Commissioner shall cause such notice to be published in the newspapers doing the city printing, for two consecutive days (Sundays excepted). And if within two days after the service of such notice, or after its publication as aforesaid, such nuisance shall not be abated, or the order observed by the owner, then the Health Commissioner may order the same to be done as hereinafter directed; and the cost of the same, when fully completed, shall be ascertained under the direction of the President of the Board of Public Improvements, in the same manner as special tax bills for street improvements, and the amount thereof shall be assessed as a special tax against the property so improved, or upon which such work has been done, in the name of the owners thereof, of which the books of the Assessor shall be proof, and the certified bills of such assessment shall describe therein the property upon which the work was done. Said bills shall be recorded and shall be collected and paid as provided in this Charter in relation to the collection of other special tax bills, and shall be a lien on said property, and the Health Commissioner shall keep a record of his proceedings in all cases of abatements ordered by him.

SEC. 7. Contracts for the Abatement of Nuisances.—All contracts for work contemplated by this section on which special tax bills are to be issued, shall be entered into by the President of the Board of Public Improvements, in the name of the city, based on the estimates of the cost by the President of the Board of Public Improvements, accompanied by reports of surveys and profiles, in cases requiring the same in the judg-

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ment of such President, and shall be approved by the Mayor and registered in the office of the Comptroller.

SEC. 8. Proclamation by Mayor in Time of Epidemics—Authority of Commissioner and Board of Health in Such Cases, Etc.—Whenever it shall come to the knowledge of the Mayor that any malignant, infectious or contagious disease or epidemic is prevalent in the city, or will probably become so, he may make proclamation of such fact to the inhabitants; and after such proclamation the Health Commissioner, with the approval of the Board of Health, may have power, by order, to take all steps and use all measures necessary to avoid, suppress or mitigate such disease, without the intervention of the Assembly in the same manner and as effectually as the Assembly could itself do by ordinance, and may employ such officers, agents, servants and assistants, establish temporary hospitals, provide necessary furniture, medical attendance and nurses, as in the opinion of the said Commissioner, with the advice and counsel of said Board of Health, may be necessary and advisable: *Provided*, that the amount expended shall not exceed the appropriation for Health Department. The Health Commissioner shall have and exercise such power until he shall declare, or until the Mayor shall proclaim, that the epidemic or disease, in view of which the proclamation was made, is no longer imminent or prevalent, whereupon the said power shall cease.

SEC. 9. Commissioner's Records and Accounts.—Said Health Commissioner shall keep a record of his acts and orders; shall file all petitions, documents and papers beonging to the office, and shall keep a correct account in full of all receipts and expenditures, and shall make rules and regulations for the government of his subordinates. Copies of such records, documents, rules and regulations, when authenticated by his clerk, shall be presumptive evidence in any court of justice of the facts therein contained: *Provided*, such rules and regulations are not inconsistent with this Charter, or ordinances.

SEC. 10. Duties of Physicians in Reference to Burial Certificates.—For the purpose of carrying the provisions of this article into effect, every physician who may practice medicine in the City of St. Louis shall, when a patient dies under his care, make out two certificates, stating the name, age, sex,

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color and place of birth, and place and date of death, together with the name of the disease of which said person, died, one of which he shall without delay, deposit in the office of said Health Commissioner, and the other he shall give to the undertaker of the funeral, to be delivered by him to the person who has control of the graveyard in which the body is buried. And if any physician or undertaker refuse or omit to do as aforesaid, he shall forfeit and pay five dollars to the use of the City of St. Louis, to be recovered as provided for in Section 11 of this article.

SEC. 11. Weekly Report of Interments to be Made to Health Commissioners.—All overseers, sextons or other persons who may have control over public graveyards in the City of St. Louis shall make a weekly report to the Health Commissioner, of all interments during the week in the graveyard, whereof they are such overseer or sexton respectively. Said report shall specify the names and ages of the persons interred, sex, color, and place of birth, and place and date of death, and also the diseases of which said persons died.

SEC. 12. Penalty in Case of Burial Without Certificate.—If any overseer, sexton, or other person having control of a graveyard, shall permit any person to be interred in said graveyard without a certificate, stating the name, age, sex, color, place of birth, place and date of death, together with the disease of which said person died, signed by the physician who attended said person, he shall forfeit and pay a sum not less than five nor more than twenty dollars, to be recovered as in other cases of misdemeanor, before any court or officer having competent jurisdiction.

SEC. 13. Penalty for Failure to Make Weekly Reports of Interments.—If any overseer, sexton or other person charged with the performance of such duty, fail or neglect to make to the Health Commissioner such report of weekly interments, he shall forfeit and pay not less than twenty dollars for every such failure, to be recovered in like manner as provided in the last preceding section.

SEC. 14. Record of Proceedings of Board.—The Board of Health shall keep a full and correct record of its proceedings and acts, and the clerk of said Health Commissioner shall act as the clerk of the said Board.

ARTICLE XIII.

SCHOOLS.

SECTION

- 1.*
2. City officers to assess school tax.
3. City collector to collect school taxes and to give special bond to board.

SECTION

4. Rate of school taxes to be fixed by board.
5. School taxes collected in extended limits to be remitted if in excess of necessary revenue.

*SECTION 1.

SEC. 2. City Officers to Assess School Taxes.—The officers of the City of St. Louis, directed by this Charter to assess and extend the State and city taxes, and to perform other duties relating thereto, shall perform the same duties in regard to taxes levied by the board of president and directors of the St. Louis public schools (Board of Education of St. Louis).

SEC. 3. City Collector to Collect School Taxes and to Give Special Bond to Board.—The Collector of the City of St. Louis shall collect all taxes levied by the Board of President and Directors of the St. Louis public schools (Board of Education of St. Louis). Said Collector shall give such bond for the faithful performance of his duties to said Board, and account for and pay over to said Board in such manner and at such times, all school taxes collected by him, as the Collector of St. Louis County was required to do under the laws heretofore in force.

SEC. 4. Rate of School Taxes to be Fixed by the Board.—The Board of President and Directors of the St. Louis public schools (Board of Education of St. Louis) shall determine the rate of taxation for each year by resolution, a copy of which, duly certified according to law shall be handed to the Collector of the City of St. Louis, and to the Register of said city, on or before the first day of August in each year.

* Section 1 of the original Charter is not in force, and has therefore been omitted. The "Board of Education of St. Louis" was created by act of March 23, 1897 (Laws 1897, p. 220).

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SEC. 5. School Taxes Collected in Extended Limits to be Remitted if in Excess of Necessary Revenue.—If the proceeds of taxes levied by the Board of President and Directors of the St. Louis public schools (Board of Education of St. Louis), in any one year, on property in the different wards within the newly extended city limits, should prove to be greatly in excess of amounts needed for the purpose of properly carrying on the education of children residing within such extended limits, then said Board shall by resolution remit such excess. A copy of such resolution, properly authenticated, specifying the percentage remitted in the respective wards, shall be filed by the secretary of said Board with the Comptroller of the City of St. Louis, who shall, in extending the tax, make a deduction equal to such percentage of all taxes levied for school purposes on such property.

ARTICLE XIV.

SINKING FUND.*

SECTION

1. Sinking fund created.
2. Duty of assembly as to appropriations.

SECTION

3. Disbursements to be made on requisitions.
4. Disposition of sinking fund in hands of commissioner.

SECTION 1. Sinking Fund Created.—There is hereby created a sinking fund for the City of St. Louis, which shall always be kept separate and distinct from other funds and revenues, and held sacred for the purpose of redemption or purchase of bonds issued by said city, which were outstanding on the seventh day of April, eighteen hundred and ninety, and of the bonds issued for the renewal thereof.

SEC. 2. Duty of Assembly as to Appropriations.—The Municipal Assembly shall annually appropriate from the fund designated in this Charter as "interest and public debt revenue" a sum not less than one million two hundred thousand dollars to be used exclusively for the payment of the bonds of the city described in Section 1 of this article, and of the interest thereon. That portion of each annual appropriation not required for the payment of the interest coupons maturing during the respective year, shall be credited to, and shall constitute the sinking fund herein created.

SEC. 3. Disbursements to be Made on Requisitions.—All disbursements out of the city treasury on account of the sinking fund, shall be upon requisitions of the Comptroller approved by the Mayor; and in all other respects they are to be made in the same manner as other disbursements of the city.

SEC. 4. Disposition of Sinking Fund in Hands of Commissioners.—The assets of the sinking fund now under the control of the Board of Fund Commissioners shall be disposed of as follows: The money on hand, and the proceeds of all matured coupons from city bonds, shall be credited to, and be a

* This article is an amendment to the Charter, adopted at the charter amendment election, held on June, 1901.

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part of, the sinking fund herein created: the immatured coupons from city bonds shall be canceled, and filed as other coupons from city bonds are filed. The bonds of the Ohio and Mississippi Railroad shall be turned over to the Comptroller, and deposited in his office: in the event of the city at any time realizing on the same, the proceeds thereof shall be credited to, and be a part of, the sinking fund herein created.

ARTICLE XV.

PUBLIC PRINTING.

SECTION

1. Register to advertise for sealed proposals—opening of bids—contracts to be awarded to lowest bidder and reported to council—specifications of contract—forfeiture of same—contract for job printing—temporary contract authorized.

SECTION

2. Publication of ordinances—abstract of proceedings of assembly—second printing of documents forbidden, except by two-thirds vote—annual printing of city documents in pamphlet form.
3. Proofs of printing to be submitted to officers interested.

SECTION 1. Register to Advertise for Sealed Proposals—Opening of Bids—Contracts to be Awarded to Lowest Bidder and Reported to Council—Specifications of Contract—Forfeiture of Same—Contract for Job Printing—Temporary Contract Authorized.—All printing and binding to be done at the expense of the city shall be contracted for as follows, to-wit: The Register shall advertise in the newspapers published in the city, of a uniform daily circulation of over three thousand copies (so far as he may be informed thereof), a proposal for sealed bids in writing for doing the city printing, to be done in city newspapers of said daily circulation, for one year, one published in the English and one in the German language; said advertisement shall state the place, day and hour of the opening of such bids, and shall be made for at least ten days next before such day. The bids shall be opened in the office of the Register, and all bidders may be present thereat. No bid shall be considered in which there shall be any erasure or interlineation. In every case the printing shall be awarded to the lowest bidder. The Register shall, without delay, report the bids and awards to the Council. If the Council reject any award, the Register shall proceed without delay as above, for new bids for the kind of printing of the rejected award, and report, as aforesaid, upon the same, and so on until the Council confirm the awards for all the aforesaid printing. Every contract for printing, in pursuance of any award, shall specify the printing and the price therefor, and require the doing thereof within reasonable time. The

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printing meant in this article includes everything of labor, skill and materials, for bringing the work to the condition for its intended use and purpose. If any bidder fails to perform the contract as therein required, the same shall be subject to forfeiture by the Mayor. All job printing and binding shall be let by contract, subject to such regulations as may be prescribed by ordinance. Until the contract be made as aforesaid for any authorized printing, at the expense of the city, the same may be contracted for by the Register, with the approval of the Mayor.

SEC. 2. Publication of Ordinances—Abstract of Proceedings of Assembly—Second Printing of Documents Forbidden, Except by Two-thirds Vote—Annual Printing of City Documents in Pamphlet Form.—Every ordinance passed by the Assembly shall be published in the papers doing the city printing within five days after its approval. The Assembly shall cause an abstract of its proceedings to be published within forty-eight hours after the meeting at which they were had. Such abstract shall briefly state the substance of all petitions, memorials, remonstrances, motions, propositions, bills, resolutions and orders, and the yeas and nays in full whenever taken; also, all communications from the Mayor and other city officers, unless otherwise directed by the Municipal Assembly. No expense for printing the same document the second time shall be incurred, except when ordered by a vote of two-thirds of the members elected to the Assembly, taken by yeas and nays. The annual messages of the Mayor, and reports of the Comptroller, with the accompanying reports of the other city officers, shall be printed in pamphlet form, the number of copies to be determined by a majority of both houses of the Municipal Assembly by joint resolution.

SEC. 3. Proofs of Printing to be Submitted to Officers Interested.—Proofs of all printing shall be submitted to the officer directly interested therein, and no publication or printing shall be done or paid for except when done in the manner herein prescribed.

ARTICLE XVI.

MISCELLANEOUS PROVISIONS.

SECTION

1. Existing ordinances, contracts, etc., to remain in force until repealed or abrogated.
2. Existing recognizances, obligations, forfeitures, actions, etc., to remain in force.
3. Management of Mullinphy bequest.
4. Street opening ordinances repealed—pending cases to be conducted under former laws—city counselor to act as land commissioner.
5. Mayor to promulgate charter.
6. Appeal bonds by city—mayor to execute such bonds for the city.
7. Execution of city contracts—contracts to be numbered, filed, etc., in register's office—attested copies to be furnished city officers.
8. Citizens of St. Louis exempt from road work.
9. Damage suits against the city—persons and corporations, when liable, to be made co-defendants, and judgments to be first enforced against them.

SECTION

10. Regulation of public processions.
11. Penalty for voting in favor of or allowing unauthorized claims—penalty for the misapplication of public funds.
12. Penalty for violation of provisions of charter.
13. Oath of office.
14. Records of board of police commissioners to be open to inspection.
15. City counselor and attorney to furnish legal advice to police commissioners.
16. Expenses of police force to be paid out of city treasury.
17. Assembly to fix salaries of officers—increase of salary forbidden during term.
18. Limitation of salaries—all fees, etc., to be paid into treasury—officers' salaries to be paid monthly.
19. Amendments to Charter to be submitted to the people.
20. Existing city officers continued in office until April, 1877.

SECTION 1. Existing Ordinances, Contracts, Etc., to Remain in Force Until Repealed or Abrogated.—All ordinances in force at the time this Charter and Scheme go into operation, not inconsistent therewith, shall remain in full force until altered or repealed by the Assembly, and all rights, actions, prosecutions and contracts of the city, not inconsistent therewith, shall continue to be valid as if this Scheme had not been adopted.

SEC. 2. Existing Recognizances, Obligations, Forfeitures, Actions, Etc., to Remain in Force.—All recognizances, obligations, and all other instruments entered into or executed to the city, before this Charter goes into operation, and all fines, taxes, penalties and forfeitures due or owing to the city, and all writs, prosecutions, actions and causes of action, except as herein or in the Scheme otherwise provided, shall continue and remain unaffected by this Charter going into operation.

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SEC. 3. Management of Mullanphy Bequest.—The Assembly shall provide by ordinance for the administration of the Mullanphy bequest by a board of thirteen members to be elected by the Council, of whom not more than five shall reside in any one Congressional District, said Board shall receive no compensation for their service.

SEC. 4. Street Opening Ordinances Repealed—Pending Cases to be Conducted under Former Laws—City Counselor to Act as Land Commissioner.—All ordinances for the opening of any street, avenue or highway, upon which proceedings shall not have been commenced at the time this Charter goes into operation, shall be and are hereby repealed. *Provided, however,* that the provisions of this Charter shall not be construed to affect any case, pending at the time when said Charter shall become operative, but every such case shall be conducted under the law in force when, it was commenced; and any act necessary to be done by the Land Commissioner of the City of St. Louis, in the execution of any such cases after the seventh day of April, 1877, shall be performed by the City Counselor of said city.

SEC. 5. The Mayor to Promulgate Charter.—The Mayor shall, immediately after this Scheme and Charter go into effect, take measures to promulgate the same, by causing them to be printed in pamphlet form, with accurate head notes to each article, and as full an index as practicable.

SEC. 6. Appeal Bonds by City—Mayor to Execute Such Bonds for City.—The City of St. Louis, in taking an appeal in any judicial proceedings, shall give bond as required by law, but is hereby released from the obligation of law to furnish security therefor. All such bonds shall be executed by the Mayor, and shall be taken in all courts as a full compliance with the law in such cases, and all acts or parts of acts inconsistent with this provision are hereby repealed.

***SEC. 7. Execution of City Contracts—Contracts to be Numbered, Filed, Etc., in Register's Office—Attested Copies to be Furnished City Officers.**—All contracts relating

* For further provisions see article IV. section 48. And 2. R. S. Mo., 1899, sections 6759 and 6761.

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to city affairs shall be in writing, signed and executed in the name of the city, by the officer authorized to make the same, after due notice; and in cases not otherwise directed by law or ordinance, such shall be made and entered into by the Comptroller, and in no case by the Assembly or any committee thereof. All contracts not made by the Comptroller, shall be countersigned by the Comptroller and filed and registered by number, date and contents, in the Register's office, and attested copies furnished to the Comptroller, Auditor, and such other officers as are interested in the performance thereof as required.

SEC. 8. Citizens of St. Louis Exempt from Road Work.—The citizens of the City of St. Louis are hereby exempt from working on the roads or public highways of the city, any law to the contrary notwithstanding.

***SEC. 9. Damage Suits Against the City—Persons and Corporations, When Liable to be Made Co-Defendants, and Judgments to be First Enforced Against Them.**—Whenever the city shall be made liable to an action for damages, by reason of the unauthorized or wrongful acts, or of the negligence, carelessness or unskillfulness of any person or corporation, and such person or corporation shall also be liable to an action on the same account by the party so injured, the injured party, if he sue the city for damages suffered by him,

* This section held void in *Badgley vs. St. Louis*, 149 Mo. 122. Laws of 1901, p. 78, authorizes the city to bring in co-defendants in damage suits.

SECTION 1. Whenever a City of over one hundred and fifty thousand inhabitants shall be sued in any court in this State and the cause of action on account of which said City is sued shall arise from the wrongful and unauthorized acts or carelessness and negligence of any person or corporation subject to service in this State, and such wrongful or unauthorized acts or carelessness and negligence shall also make such person or corporation liable to any action by the plaintiff on the same account as such City is sued for, such City may, within fifteen days after the first day of the next term of court after the service of the writ of summons, file a motion, in writing, in said case, notifying the plaintiff therein to make such person or corporation a party defendant in said suit in accordance with the facts constituting the liability of such person or corporation, which facts said City shall set forth in said notice, and shall verify the same by affidavit. The plaintiff in said suit shall then proceed to join such person or corporation as a party defendant in said suit, in accordance with the facts set forth in said notice, and such suit shall not be prosecuted against said City until such person or corporation is made a co-defendant with such City: *Provided, however*, that in case the facts set forth in said notice do not make such person or corporation named therein liable to an action on the same account as such City is sued for in such case, said plaintiff may file a motion to strike out said notice, and if said motion shall be sustained by the court, then the plaintiff in such case may proceed against defendant City alone, as if said notice had not been filed; and provided further, that if the plaintiff shall make such person or corporation as may be named in said notice a party defendant in said suit and shall have caused summons to be issued for such person or corporation, and such person or corporation cannot be served with process by the officer to whom such writ is directed, then the plaintiff in such case may proceed against the City alone.

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shall also join such other person or persons or corporation so liable, if residing in the State, so that they can be served with process, as a defendant or defendants in his suit, and no judgment shall be rendered against the city unless judgment is rendered against such other person or corporation so liable to be sued as aforesaid; and if any action be brought against the city alone, and it is made to appear that any person or corporation ought to be joined as a defendant in the suit, according to the provisions of this section, the plaintiff shall be non-suited; but no person shall be liable under this act to be sued jointly with the city, who would not be liable to be sued separately, irrespective of its provisions. When a judgment shall be obtained against the city and the other party liable as aforesaid, execution shall issue against all the defendants in the ordinary form, but shall first be enforced and collected of the other defendants, and shall not be collected of the city unless the other defendants are so insolvent that the same can not be made out of them, and in that case the city shall pay only so much of the judgment as can not be made out of the other defendants.

SEC. 10. Regulation of Public Processions.—The Municipal Assembly shall provide by ordinance for the regulation of public processions so as to prevent interference with public traffic, and to promote the good order of the city.

SEC. 11. Penalty for Voting in Favor of or Allowing Unauthorized Claims—Penalty for the Misapplication of Public Funds.—Any member or officer of either house of the Assembly, and any officer of the city, and any member or officer of any board organized under or in connection with the city government pursuant to any law of this State, who shall in his official capacity, or under color of his office, knowingly or willfully, or corruptly vote for, assent to, or report in favor of, or allow or certify for allowance, any claim or demand against the city or any department thereof, or against any such board as above mentioned, which claim or demand shall be on account or under color of any contract or agreement not authorized by or in pursuance of the provisions of this Charter, or any claim or demand against the city or any depart-

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ment thereof, or any such board as aforesaid, which claim or demand, or any part thereof, shall be for work not in fact performed for and by authority of said city or such board, or for supplies for materials not actually furnished thereto, pursuant to law or ordinance, and every such member or officer as aforesaid, who shall knowingly vote for, assent to, assist or otherwise permit or aid in the disbursement or disposition of any money or property belonging to the city or any department thereof, or held by or in charge of any such board as aforesaid, to any other than the specific use or purpose for which such money or property shall be, or shall have been received or appropriated, or collected or authorized by law to be collected, shall, upon conviction thereof, be punished by imprisonment in the city jail for not more than one year, or by fine of not less than two thousand, nor more than ten thousand dollars, or by both such fine and imprisonment, or by imprisonment in the city jail for not less than six months, and by fine of not less than five hundred, nor more than five thousand dollars.

SEC. 12. Penalty for Violation of Provisions of Charter.—Any person who shall violate any of the provisions of this Charter, for the violation of which no punishment has been provided therein, shall be guilty of a misdemeanor, and shall be punished by fine not exceeding five hundred dollars, or by punishment (imprisonment) in the county jail not exceeding one year.

SEC. 13. Oath of Office.—Each member of the Assembly and officer of the city, or of any board thereunder, shall, before entering upon the duties of his office, take and subscribe an oath or affirmation that he will support the Constitution of the United States and of this State, and that he is not subject to any of the disqualifications enumerated in this Charter, and that he will demean himself faithfully in office.

SEC. 14. Records of Board of Police Commissioners to be Open to Inspection.—The journal and books of the Board of Police Commissioners, required by law to be kept by them, and all documents relating to their office, shall always be open to the inspection of the Comptroller and Municipal Assembly

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of the City of St. Louis, and of any committee appointed by it for that purpose.

SEC. 15. City Counselor and Attorney to Furnish Legal Advice to Police Commissioners.—The City Counselor and Attorney shall furnish the Board of Police Commissioners with the legal advice and services desired by them, and the said Board shall not employ any other at the city's expense.

***SEC. 16. Expenses of Police Force to be Paid Out of City Treasury.**—All claims against the Board of Police Commissioners, including salaries, shall be paid out of the city treasury in the same manner as other claims against the city are paid; and said claims shall be certified to by the President and Secretary of said Board, and audited as provided in this Charter for claims against the city; and all acts or parts of acts inconsistent with or in conflict with this section are hereby repealed.

SEC. 17. Assembly to Fix Salaries of Officers—Increase of Salary Forbidden During Term.—The Municipal Assembly shall fix the salaries of all elective or appointive officers of the city and their assistants or deputies, and also of all clerks that may be employed by the city in any of its offices or departments, and may increase or diminish the same by ordinance, except in cases where otherwise provided in this Charter: *Provided*, that no such increase shall be made during the term for which any such officer or assistant or clerk may be elected or appointed.

SEC. 18. Limitation of Salaries, Fees, Etc., to be Paid into Treasury—Salaries to be Paid Monthly.—The annual salary of no officer of the city shall exceed the sum of five thousand dollars, nor of any assistant or deputy exceed the sum of twenty-five hundred dollars, nor of any clerk the sum of eighteen hundred dollars; and all fees, perquisites and emoluments of such officers shall be paid over monthly to the Treasurer, and all such salaries shall be paid monthly, as may be provided by ordinance.

* Metropolitan police, act of March 15, 1899, now sections 6209 et seq., 2 R. S. Mo. 1899.

MISCELLANEOUS PROVISIONS.

SEC. 19. Amendments to Charter to be Submitted to People.—When amendments to this Charter are proposed, they shall be submitted separately to a vote of the people.

SEC. 20. Existing City Officers Continued in Office Until April, 1877.—All the present city officers, except where otherwise provided in this Charter and in the Scheme, are hereby continued in office until the election provided herein to be held in April, 1877, and until their successors are qualified.

NOTE.—The Scheme and Charter were ratified by the voters at an election held on August 22, 1876, and the same became the organic law of the county and city sixty days thereafter, namely, on October 22, 1876.

PROVISIONS OF CONSTITUTION

IN REFERENCE TO

SCHEME AND CHARTER.

The following are the provisions of Article IX of the State Constitution under which the Scheme and Charter were prepared and adopted:

SECTION 20. Extension of Limits—Adoption of Charter.—The City of St. Louis may extend its limits so as to embrace the parks now without its boundaries, and other convenient and contiguous territory, and frame a Charter for the government of the city thus enlarged, upon the following conditions, that is to say: The Council of the city and County Court of the County of St. Louis shall, at the request of the Mayor of the City of St. Louis, meet in joint session and order an election, to be held as provided for general elections, by the qualified voters of the city and county of a Board of thirteen Freeholders of such city or county, whose duty shall be to propose a Scheme for the enlargement and definition of the boundaries of the city, the reorganization of the government of the county, the adjustment of the relations between the city thus enlarged and the residue of St. Louis County, and the government of the city thus enlarged, by a Charter in harmony with and subject to the Constitution and laws of Missouri, which shall, among other things, provide for a chief executive and two houses of legislation, one of which shall be elected by general ticket, which Scheme and Charter shall be signed in duplicate by said Board or a majority of them, and one of them returned to the Mayor of the city and the other to the presiding justice of the County Court within ninety days after the election of such Board. Within thirty days thereafter the City Council and County Court shall submit such Scheme to the qualified voters of the whole county, and such Charter to the qualified voters of the city so enlarged, at an election to be held not less than twenty nor more than thirty days after the order therefor; and if a majority of such qualified voters,

voting at such election, shall ratify such Scheme and Charter, then such Scheme shall become the organic law of the county and city, and such Charter the organic law of the city, and at the end of sixty days thereafter shall take the place of and supersede the Charter of St. Louis and all amendments thereof, and all special laws relating to St. Louis County inconsistent with such Scheme.

SEC. 21. Authentication of Charter—Judicial Notice.

—A copy of such Scheme and Charter, with a certificate thereto appended, signed by the Mayor and authenticated by the seal of the city, and also signed by the presiding justice of the County Court and authenticated by the seal of the county, setting forth the submission of such Scheme and Charter to the qualified voters of such county and city, and its ratification by them, shall be made in duplicate, one of which shall be deposited in the office of the Secretary of State, and the other, after being recorded in the office of the Recorder of Deeds of St. Louis County, shall be deposited among the archives of the city, and thereafter all courts shall take judicial notice thereof.

SEC. 22. Amendment of Charter.—The Charter so ratified may be amended at intervals of not less than two years, by proposals therefor, submitted by the law-making authorities of the city to the qualified voters thereof at a general or special election, held at least sixty days after the publication of such proposals, and accepted by at least three-fifths of the qualified voters voting thereat.

SEC. 23. Miscellaneous Provisions Under Said Charter.—Such Charter and amendments shall always be in harmony with and subject to the Constitution and laws of Missouri, except only that provision may be made for the graduation of the rate of taxation for city purposes in the portions of the city which are added thereto by the proposed enlargement of its boundaries. In the adjustment of the relations between city and county, the city shall take upon itself the entire park tax; and in consideration of the city becoming the proprietor of all the county buildings and property within its enlarged limits, it shall assume the whole of the existing county debt, and thereafter the City and County of St. Louis shall be independent of each other. The city shall be exempted from

all county taxation. The judges of the County Court shall be elected by the qualified voters outside of the city. The city, as enlarged, shall be entitled to the same representation in the General Assembly, collect the State revenue and perform all other functions in relation to the State, in the same manner, as if it were a county as in this Constitution defined; and the residue of the county shall remain a legal county of the State of Missouri, under the name of the County of St. Louis. Until the next apportionment for Senators and Representatives in the General Assembly, the city shall have six Senators and fifteen Representatives, and the county one Senator and two Representatives, the same being the number of Senators and Representatives to which the County of St. Louis, as now organized, is entitled under Sections eight and eleven of Article IV of this Constitution.

SEC. 24. Courts of St. Louis County.—The County and City of St. Louis, as now existing, shall continue to constitute the Eighth Judicial Circuit, and the jurisdiction of all courts of record, except the County Court, shall continue until otherwise provided by law.

SEC. 25. Subordination of St. Louis.—Notwithstanding the provisions of this article, the General Assembly shall have the same power over the City and County of St. Louis that it has over other cities and counties of this State.

ARTICLE X.

SEC. 12. Municipal Indebtedness, Limit of.—No county, city, town, township, school district or other political corporation or subdivision of the State, shall be allowed to become indebted in any manner or for any purpose to any amount exceeding in any year the income and revenue provided for such year, without the assent of two-thirds of the voters thereof voting at an election to be held for that purpose; nor in cases requiring such assent shall any indebtedness be allowed to be incurred to an amount including existing indebtedness, in the aggregate exceeding five per centum on the value of the taxable property therein, to be ascertained by the assessment next before the last assessment for State and county purposes, previous to the incurring of such indebtedness: *Provided*, That with such assent any

county may be allowed to become indebted to a larger amount for the erection of a court house or jail. *And provided further*, That any county, city, town, township, school district, or other political corporation or subdivision of the State, incurring any indebtedness, requiring the assent of the voters as aforesaid, shall, before or at the time of doing so, provide for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due, and also to constitute a sinking fund for payment of the principal thereof, within twenty years from the time of contracting the same.

**And provided further*, that the corporate authorities of the City of St. Louis are hereby authorized to issue interest-bearing bonds of said city in the amount of five million dollars, at a rate of interest not to exceed four per cent per annum, the principal payable within thirty years from the date of their issue, and the proceeds thereof shall be paid to the corporation organized for the celebration of the Louisiana Purchase Centennial in said city, to be used by said corporation for said celebration, in holding a World's Fair or Exposition in said city. And said corporate authorities of St. Louis shall be repaid as large a proportionate amount of the aid given them as shall be repaid to the stockholders of said corporation on the sum subscribed and paid by them, and any surplus remaining from the assets of said corporation after said stockholders and said city shall have been paid in full, shall be divided between said stockholders and said city in proportion to the aggregate amount of said stocks so paid in and the amount so loaned by said city; and any amount so received by said city from said corporation shall be paid into the sinking fund of said city for the redemption of its outstanding bonds: *Provided*, that if at the election for the adoption of this amendment to the Constitution a majority of the votes cast within the limits of said City of St. Louis voting for and against this amendment, shall be against its adoption, then no bonds shall be issued under this amendment; *and provided further*, that no such indebtedness so created shall be in any part thereof paid by the State or from any State revenue, tax or fund, but the same shall be paid by the City of St. Louis alone.

*This portion of the section is an amendment to the constitution adopted by vote of the people of the State and of the city at the general election held on November 6, 1900.

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